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JOURNAL
OF THE
SENATE
SESSION OF 1989

Printing and Binding

by

EQUITY PUBLISHING COMPANY

Orford, N.H. 03777

STATE OF NEW HAMPSHIRE

ORGANIZATIONAL DAY

Wednesday, December 7, 1988

The Clerk called the Senate to order at 1:00 p.m.

The prayer was offered by Senator Bond.

Let us Pray. Almighty Father, join us today on the convening of our new session. As we do the work of our constituents in the months to come, keep us mindful of who we are, who we represent and what our real purpose in this Chamber is.

Remind us daily that the motto of every elected office holder is service above self. Help us to be of service to Beautiful New Hampshire and to all the residents who have placed their trust in us.

Amen

Senator Roberge led the Pledge of Allegiance.

SENATOR JOHNSON: I move that the Senate observe a moment of silence to honor and remember those who died in the attack on Pearl Harbor, December 7, 1941.

Senator Charbonneau seconded the motion.

Adopted.

The Clerk called the Roll which showed the following Senators present as follows: Bond, King, Heath, Freese, Hough, Dupont, Currier, Disnard, Roberge, Blaisdell, Bass, Magee, Nelson, Charbonneau, McLane, Podles, Johnson, Stephen, Bartlett, St. Jean, Torr, Delahunty, Preston and Krasker.

There were 24 members present.

Recess to await the Governor and Council.
Out of Recess.

GOVERNOR SUNUNU: Good afternoon. We're about to ask all the Senators elect to take the oath of office. Before I do that I want to tell those of you who have been here before how much I have enjoyed working with you. Those of you who have not been here before, how much I am going to miss not having a chance to work with you. But, I don't think there's anything that any of us have ever done that has been more satisfying and rewarding than the interactions that take place up here. I may be a little bit of a distance away, but I will continue my subscription to all the local newspapers to find out what you have been doing.

At that time, on the first Wednesday in December in the year of our Lord, one thousand and nine hundred and eighty-eight being the day prescribed by the Constitution for the Legislature of New Hampshire to assemble at the Capitol in the City of Concord in said State, and John H. Sununu, Governor, and the Executive Council having come into the Senate Chambers, took and subscribed the oaths of office "I do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as State Senator according to the best of my abilities, agreeably to the rules and regulations of this constitution and laws of the State of New Hampshire. So help me God." Senators agreeably: Bond, King, Heath, Freese, Hough, Dupont, Currier, Disnard, Roberge, Blaisdell, Bass, Magee, Nelson, Charbonneau, McLane, Poldes, Johnson, Stephen, Bartlett, St. Jean, Torr, Delahunty, Preston and Kraker.

SENATOR PRESTON: Governor, may we wish you well on behalf of the Minority party and the Senate as we wish you and your family well as you go to Washington.

GOVERNOR SUNUNU: I may call on you to help me lobby the Majority Party!

SENATOR BARTLETT: Governor, on behalf of the Senate we'd like to thank you for the past six fine years and we wish you well in Washington.

GOVERNOR SUNUNU: It couldn't have happened without the House and Senate. You know that and I know that and I say it every where I go. Thank you for what you've done.

Senator Bartlett moved that Senator Hough be elected temporary presiding officer.

Senator Blaisdell seconded the motion.
Adopted.

The Clerk requested Senator Dupont and Senator Freese to escort Senator Hough to the rostrum.

Senator Hough in the Chair:

The Presiding Officer asked for nominations for the office of President of the Senator.

Senator Podles moved to place the name of Senator William S. Bartlett, Jr. in nomination for Senate President.

SENATOR PODLES: It gives me great pleasure to nominate Senator William S. Bartlett as our next Senate President. Senator Bartlett has distinguished himself as a proven leader by his administrative abilities and more importantly by his personal qualities. Bill, is a man with integrity, capable and fair. Through his leadership the work of the Senate has been successfully carried out in record time. His skillful direction has gained the admiration and respect of all his colleagues. The next two years will be important to New Hampshire. Many difficult decisions will have to be made. To properly serve the needs and concerns of those who elected us, we need to continue under the strong leadership of one who has proven he can do the job. Senator Bartlett is that man. I hope that all of you will join me in reelecting William S. Bartlett as our Senate President for the next biennium.

Senator Blaisdell seconded the motion.

SENATOR BLAISDELL: I rise today to second the nomination of William Bartlett of Kingston, Senator from District 19, for his second term as President of the New Hampshire Senate. In my many years of public service, and this will be my 20th year, I've come to hold our Senate in high esteem. This body is unique. Its size and flexibility and capacity to hammer out solutions to public problems in an atmosphere of respectful dialogue in cooperation is unmatched anywhere in the world. During the past 18 years, as you know, I've held many Senate positions and titles from the bilge to the Senate Finance Chairman. I guess the one title that I've treasured more than anything is the one that you officially gave me in the last session, that of Senate Dean. I value it greatly because it means more to me than mere longevity of service. It signifies, in a way, that the Senate that I respect so much has given me so much measure of its respect in return. To me it means that I must step back, at times, to

remind all of us that through our debates, though our debates can become heated, we are a body of collective reason with a constitutional duty to work together for the public who elected us. It is with this in mind and the respect for our institution that stirs me to rise today. Leadership for the collective good of us as a body and the people of the State of New Hampshire is an all important aspect of our institution. Bill Bartlett has proven himself as a fair, respectful and significant leader of our Senate. His nomination today is an affirmation of his ability and a tribute to his past term as President of this New Hampshire Senate. Therefore, it is with pride and honor that I nominate the name of William Bartlett for Senate President. I look forward to a healthy and effective session to come. We have a number of challenges ahead and I wish you, Bill, much luck and promise my help and advice whenever you need it. Thank you.

Senator Dupont seconded the motion.

SENATOR DUPONT: I rise today to second the nomination of a good friend, an individual that I've enjoyed working with, that I've learned a lot from, and I think an individual that has done a great job of leading this Senate through two very successful years and I think, obviously, we've got a couple of hard years coming up ahead of us and I can't think of another individual that I would rather work with than the Senator from District 19, Senator Bartlett.

SENATOR PRESTON: I want you to pay attention to how solicitous we are to the Republican Majority in the Senate today. Many years ago, when I was a fledgling politician, I remember the dedication of a Rockingham County Court house and all the republicans attended and I didn't even have an invitation. I went over and a kindly gentleman said to me, "Come right in here, Mr. Preston. I want you to participate". His name was Commissioner Bartlett, the father of the person we're proposing today, and that gentleman had something that I see in the Senate President. The words have been used; fair and considerate. Senator Bartlett has honored his commitments within this Chamber and outside of this Chamber. I would just like to pledge to work cooperatively with the Senate President and make the motion at this time that the nominations will now be closed and that one ballot be cast for good friend, Bill Bartlett.

Senator Preston moved that the nominations be closed for Senate President and instructed the Clerk to cast one ballot for William S. Bartlett, Jr. as the next President of the State Senate.

Adopted.

Senators Dupont and Preston escorted the new President of the Senate, Senator William S. Bartlett, Jr., to the rostrum.

INTRODUCTION OF GUESTS

Senator Hough placed the name of Wilmont S. White in nomination for Senate Clerk.

SENATOR HOUGH: I rise to place in nomination the name of Wilmont White as Clerk of the New Hampshire State Senate. For the number of years that I have been in this Chamber, I have had the pleasure to place in nomination this individual. He is one who has grown to be a very close friend to all of us who have served in past sessions and for those of you who are new to this body, you will soon come to know the insight, the dedication and the skill with which this gentleman conducts the operation and executes the mission that we are charged with. Bill White has been recognized throughout the nation and by the council on State Legislators as setting the standard for legislative clerks. It is a great credit to this body and a great credit to the State of New Hampshire that we have an individual to serve us in our duties who sets this standard. It is with deep respect and affection that I nominate Wilmont White as Clerk of the New Hampshire State Senate.

Senator Blaisdell seconded the nomination.

SENATOR BLAISDELL: I think it does you good, Senator Hough, to have a campaign to run because you're getting more eloquent as the years go by. This is my 10th time that I've nominated Bill White for the Senate Clerk and to you new members of the Senate, and to you old members, I think that anyone with his stature that has the guts enough to tell the Senator from the 10th District to sit down and shut up deserves to be Senate Clerk. I think he has to be here to control someone like me! Ralph's right, Bill has not only been the Clerk of the Senate, a non-partisan Clerk of the Senate, but I guess most of all he has become a dear friend. And I guess as we told Bob Preston last session, if you can find one like Bill, or like Bob, they say your fortune has been made. So, I guess Bill has made us all rich people, so I second the nomination of Bill White with honor.

Senator Dupont moved to close the nominations and one ballot be cast for Wilmont S. White.

Adopted.

Senator McLane moved to place the name of Gloria Randlett in nomination for Assistant Clerk of the Senate.

SENATOR MCLANE: It's my pleasure to nominate my constituent, Gloria Randlett for the position of Assistant Clerk. I commend to you Gloria for her intelligence and her organizational skills and her ability to back up our respected clerk.

Senator Freese seconded the nomination.

SENATOR FREESE: I rise to second the nomination of Gloria Randlett for Assistant Clerk of the New Hampshire State Senate. Gloria has served this Senate as Assistant Clerk for four terms and when reelected will be starting her fifth term, or her ninth year. I am pleased and honored to second this nomination. She's competent, responsible, pleasant, radiates a high degree of warmth, friendship and integrity. Without question deserves another term.

Senator Currier moved that the nominations be closed and one ballot be cast for Gloria Randlett, Assistant Clerk of the Senate.
Adopted.

Senator Currier moved that the name of Richard Wiggin be placed in nomination for Sergeant-at-Arms.

SENATOR CURRIER: I rise to place the nomination of Richard Wiggin from Warner as Sergeant-at-Arms for the New Hampshire State Senate.

Senator Charbonneau seconded the motion.

SENATOR CHARBONNEAU: It is indeed a great privilege to second the nomination for Dick Wiggin, Sergeant-at-Arms. Thank you.

Senator Bond moved that the nominations be closed and one ballot be cast for Richard Wiggin, Sergeant-at-Arms.
Adopted.

Senator Bond moved that the name of Emil Martineau be placed in nomination for Doorkeeper.

SENATOR BOND: It gives me great pleasure to renominate as doorkeeper, Emil Martineau, who has served us so well in every capacity in the past session.

Senator Heath seconded the motion.

SENATOR HEATH: It is a great pleasure to second the nomination. I think he is an outstanding gentlemen, gatekeeper and friend to all of us.

Senator Delahunty moved that the nominations be closed and one ballot be cast for Emil Martineau, Doorkeeper.

Adopted.

The President administered the oaths of office to the Senate Clerk, Assistant Clerk, Sergeant-at-Arms and Doorkeeper.

SENATOR KRASKER: On behalf of the Democratic Senators I announce with great pride the reelection of our colleague, Senator Robert Preston of Hampton, to represent us as Democratic Leader for the 1989-1990 Legislative Session. Senator Bob Preston is recognized as one of the Senate's most effective Senators, a capable legislator now going into his 9th term and equally respected by both Republicans and Democrats. We know that he will be a strong and articulate voice for democratic positions and issues. So, Mr. President, I ask that you honor the unanimous vote of the Democratic Senators and appoint our colleague, Senator Robert Preston of Hampton, as Senate Democrat Leader.

PRESIDENT BARTLETT: Thank you very much and congratulations, Robert, and you are officially appointed.

Senator Blaisdell moved the following Resolution:

RESOLUTION

RESOLVED, to meet in Joint Convention for the purpose of electing Secretary of State, State Treasurer, and for canvassing votes of the Governor and Councilors.

Adopted.

Senator Blaisdell moved that the House be notified that the Senate is ready to meet in Joint Convention.

Adopted.

Senator Hough moved the following Resolution:

RESOLUTION

RESOLVED, that the Secretary of State be requested to furnish the Senate with the official return of votes from the various Senatorial Districts.

Adopted.

SECRETARY OF STATE: It's my constitutional duty to bring to you the official returns for each of the Senate Districts that were made to our office as the result of the November 8th State General Elections. Those returns are as follows:

FIRST DISTRICT

Charles D. Bond, r	9,187
Donald F. Lamontagne, d	5,695
Plurality for Bond	3,492

SECOND DISTRICT

Wayne D. King, d	9,771
Lothar F. Riba, r	7,338
Plurality for King	2,433

THIRD DISTRICT

Roger C. Heath, r&d	21,036
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FOURTH DISTRICT

George E. Freese, Jr., r	10,886
David H. Bownes, d	7,103
Plurality for Freese	3,783

FIFTH DISTRICT

Ralph D. Hough, r	10,151
Robert E. Bowers, Jr., d	6,878
Plurality for Hough	3,273

SIXTH DISTRICT

Edward C. Dupont, r	8,975
Alan Reed-Erickson, d	6,755
Plurality for Dupont	2,220

SEVENTH DISTRICT

David P. Currier, r	10,225
Bruce E. Parrish, d,	5,673
Plurality for Currier	4,552

EIGHTH DISTRICT

George F. Disnard, d	9,175
Roma A. Spaulding, r	6,727
Plurality for Disnard	2,448

NINTH DISTRICT

Sheila Roberge, r	16,040
Roger L. Hall, d	5,224
Plurality for Roberge	10,816

TENTH DISTRICT

Clesson J. Blaisdell, d&r	15,056
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ELEVENTH DISTRICT

Charles F. Bass, r	11,953
Daniel M. Burnham, d	7,887
Plurality for Bass	4,066

TWELFTH DISTRICT

Thomas P. Magee, r	10,074
Barbara B. Pressly, d	9,041
Plurality for Magee	1,033

THIRTEENTH DISTRICT

Mary S. Nelson, d&r	13,643
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FOURTEENTH DISTRICT

Rhona M. Charbonneau, r&d	17,956
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FIFTEENTH DISTRICT

Susan McLane, r	12,061
William J. Veroneau, d	6,879
Plurality for McLane	5,182

SIXTEENTH DISTRICT

Eleanor P. Podles, r	13,365
Murray Onigman, d	5,063
Plurality for Podles	8,302

SEVENTEENTH DISTRICT

William A. Johnson, r	13,096
Michael R. Butler, d	5,330
Plurality for Johnson	7,766

EIGHTEENTH DISTRICT

Robert A. Stephen, Manchester, d&r	14,242
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NINETEENTH DISTRICT

William S. Bartlett, r	12,944
Larry S. Eckhaus, d	6,115
Plurality for Bartlett	6,829

TWENTIETH DISTRICT

James R. St. Jean, d&r	12,252
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TWENTY-FIRST DISTRICT

Franklin G. Torr, r&d	15,106
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TWENTY-SECOND DISTRICT

Joseph L. Delahunty, r	13,584
Harley G. Featherston, d	4,954
Plurality for Delahunty	8,630

TWENTY-THIRD DISTRICT

Robert F. Preston, d&r	19,426
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TWENTY-FOURTH DISTRICT

Elaine S. Krasker, d&r	15,586
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Senator Dupont moved the following Resolution:

RESOLUTION

RESOLVED, that the returns from the several Senatorial Districts be referred to a select committee of three with instructions to examine and count the same and report to the Senate where any vacancies or contest exists and if so, in what Senatorial District.

Adopted.

The Chair appointed Senators Dupont, Preston and Torr.

Recess.

Out of Recess.

COMMITTEE REPORT

SENATOR DUPONT: The select committee to whom was referred the various returns of votes for State Senators from the several districts, having attended to their duties and having examined the returns made to the Secretary of State and the records in the office of said Secretary, report that they find the state of the vote returned from the several districts to be correct.

Senator Dupont moved acceptance of the report

Adopted.

Senator St. Jean moved the following Resolution:

RESOLUTION

RESOLVED, that the Clerk of the Senate be authorized to provide for the biennium one daily or two weekly newspapers printed within the state to the members and officers of the Senate.
Adopted.

Senator Hough moved to the following Resolution.

RESOLUTION

RESOLVED, that the rules of the 1988 session be adopted as the rules of the 1989 session with the following amendment and further that these rules as amended may be changed by majority vote for the next two legislative days.

SENATOR HOUGH: The resolution you have in front of you and the amendment which we're proposing have the changes in dates for the introduction by title and number, the content and sign-off date as we have been discussing and you have been aware of since May. I move that we adopt this resolution and amendment and the rules of the past session, with this amendment, allows by a majority vote change two session days, which will bring us into the first week of January when we will have the inauguration and commence the disposition of our duties. I urge you to adopt the amendment and rules at this time.

AMENDMENT TO SENATE RULES

17-A (a) No request by a member of the Senate for drafting a bill or a joint resolution, other than the general appropriations (budget) bill or the capital budget bill, shall be accepted by Legislative Services for processing unless the subject matter of the legislation has been filed with Legislative Services no later than Wednesday, December 7, 1988, at 5:00 p.m.

(b) The Office of Legislative Services shall not draft a Senate bill or joint resolution, other than the general appropriations (budget) bill or the capital budget bill, unless the complete information necessary for drafting such a bill or joint resolution is submitted to Legislative Services not later than 5:00 p.m. on Wednesday, December 21, 1988.

(c) Every Senate bill and joint resolution, other than the general appropriations (budget) bill or the capital budget bill, must be signed off in Legislative Services by 5:00 p.m., on Tuesday, January 3, 1989.

(d) Notwithstanding the provisions of 17 (a), (b), and (c), a Senate bill, Senate joint resolution, or Senate concurrent resolution may be accepted by Legislative Services for drafting and introduced into the Senate at any time prior to the deadline established by Joint Rules for the transfer of bills out of the first body if approved by either a majority of the Senate Rules Committee or a two-thirds vote on the floor.

Amendment Adopted.

SENATE RULES FOR 1989

1. The President, having taken the chair, shall determine a quorum to be present. Any erroneous entry in the daily journal shall be corrected no later than the third succeeding legislative day, and the permanent journal corrected one week after the permanent journal copy is placed in the hands of the Senate.

2. No member shall hold conversation with another while a member is speaking in debate.

3. Every member, wishing to speak, shall address the President and when he has finished shall, if having risen to speak, then sit down.

4. No member shall speak more than twice on the same question on the same day without leave of the Senate.

5. More than one member rising to speak at the same time, the President shall decide who shall speak first.

6. If any member transgressors the rules of the Senate, the President shall, or any member may, call him to order; in which case the member so called to order shall immediately cease and desist, and the Senate, if appealed to, shall decide the case. But if there is no appeal, the decision of the President shall be conclusive.

7. No member shall absent himself without permission from the Senate.

8. When any question is under debate, no motion shall be received but first, to adjourn; second, to lay upon the table; third, for the previous question; fourth, to postpone to a certain day; fifth, to commit; sixth, to amend; and seventh, to postpone indefinitely; which several motions shall have precedence in the order in which they are so arranged. Motions to adjourn, to lay upon the table, for the previous question, and to take from the table shall be decided

without debate. Motions to postpone to a certain day shall be debatable both as to time and subject matter. No motion to postpone indefinitely, to postpone to a certain day, or to commit, being decided, shall be in order at the same stage of the bill or resolution, until after adjournment.

9. A question which is postponed indefinitely shall not be acted upon during the biennium except whenever two-thirds of the whole number of elected Senators shall on division taken, vote in favor thereof. Any bill which is indefinitely postponed shall not be reintroduced under cover of an amendment to the general appropriations (budget) bill. No motion to suspend this rule shall be permitted.

10. Any member may call for a division of the question when the sense will admit it. Unless otherwise specifically provided for, a majority of those present and voting shall be required to pass any vote.

11. When the reading of a paper or document is objected to by a member; the question shall be determined by a vote of the Senate; and without debate.

12. When the nays and yeas have been moved by a member and duly seconded by another member; each member present shall declare his assent or dissent to the question, unless for special reason he be excused by the Senate. The names of the persons so making the motion and the second shall be recorded in the Journal. A member who is to be absent when the yeas and nays are required may pair his vote with another member; to be present or also to be absent, who intends to vote on the opposite side of the question. Pairs shall be permitted only if the yeas and nays are taken on such question. Both members shall file such pair in writing with the Clerk before the question is put. In all cases of pairing, the vote of neither member shall be counted in determining the result of the roll call; but the Clerk shall announce all pairs and enter them in the Journal. The President shall determine the order to the roll call.

13. In case of any disturbance or disorderly conduct in the gallery, the President shall have the power to order the same to be cleared. The Chairman of the Committee of the Whole may restrict attendance to the duly elected Senators.

14. No vote shall be reconsidered, unless the motion for reconsideration be made by a member who voted with the prevailing side, nor unless the notice of such motion be given to the Senate in open session prior to adjournment on the same day on which the vote as passed, or on the next day on which the Senate shall be in session

within one half hour after the convening of the early session, and any such notice of reconsideration shall be effective for three legislative days only and thereafter shall be null and void.

14 (a) Reconsideration of any bills subject to a transfer date established by joint rules must be acted on or before the joint rule deadline, and thereafter shall be null and void.

15. Before any petition shall be received and read, a brief statement of the contents thereof shall be made by the member introducing the same.

16. All petitions, memorials and other papers addressed to the Senate and all bills and resolutions to be introduced in the Senate, shall be endorsed with the name of the Senator presenting them, and with the subject matter of the same. Every bill shall be marked on the first page "Senate Bill" and numbered serially; every joint resolution shall be marked "Senate Joint Resolution" and numbered serially; every concurrent resolution proposing a constitutional amendment shall be marked "Concurrent Resolution Proposing a Constitutional Amendment" and numbered serially; and every other concurrent resolution shall be marked "Senate Concurrent Resolution" and numbered serially, as each bill or resolution is introduced into the Senate.

17. All petitions, memorials and other papers addressed to the Senate and all bills and resolutions to be introduced into the Senate shall be delivered or caused to be delivered to the Office of Legislative Services, which in turn will submit it to the sponsor for his signature, and then to the Clerk by Legislative Services. If requested by the sponsor, a proposed bill, resolution or petition shall not be made public, except by the sponsor, until signed by the sponsor. During any adjournment the President may receive bills and resolutions for printing and for reference to committee, provided that no bill shall have a public hearing until it is formally introduced into the Senate printed and available for distribution. The President shall take up all bills and resolutions for introduction at the early session.

17-A (a) No request by a member of the Senate for drafting a bill or a joint resolution, other than the general appropriations (budget) bill or the capital budget bill, shall be accepted by Legislative Services for processing unless the subject matter of the legislation has been filed with Legislative Services no later than Wednesday, December 7, 1988, at 5:00 p.m.

(b) The Office of Legislative Services shall not draft a Senate bill or joint resolution, other than the general appropriations (budget)

bill or the capital budget bill, unless the complete information necessary for drafting such a bill or joint resolution is submitted to Legislative Services not later than 5:00 p.m. on Wednesday, December 21, 1988.

(c) Every Senate bill and joint resolution, other than the general appropriations (budget) bill or the capital budget bill, must be signed off in Legislative Services by 5:00 p.m., on Tuesday, January 3, 1989.

(d) Notwithstanding the provisions of 17 (a), (b), and (c), a Senate bill, Senate joint resolution, or Senate concurrent resolution may be accepted by Legislative Services for drafting and introduced into the Senate at any time prior to the deadline established by Joint Rules for the transfer of bills out of the first body if approved by either a majority of the Senate Rules Committee or a two-thirds vote on the floor.

18. All resolutions which may require the signature of the Governor shall be treated in the same manner as bills.

19. Every bill shall have three readings in the Senate previous to its passage. The first and second readings shall be by title only which may be accomplished by a conglomerate resolution, after which the bill shall be referred by the President to the appropriate committee and shall be printed as provided in Rule 20, unless otherwise ordered by the Senate. No bill after it has been read a second time shall have a third reading until after adjournment from the early session. The time assigned for the third reading of bills and resolutions shall be in the late session unless otherwise ordered by the Senate. The orders of the day for the reading of bills shall hold for every succeeding day until disposed of.

20. After every bill shall have been read a second time, and referred by the President to the appropriate committee, the Clerk shall procure a sufficient number of copies, printed on paper of uniform size, for the use of the legislature, and cause the same to be distributed to the members, and when printed the bill shall be immediately delivered to the committee to which it shall have been referred. Bills received from the House shall be printed at the same stage of their procedure unless they have been printed in the House and copies distributed in the Senate, in which case any amendment made by the House shall be duplicated and distributed in the Senate.

21. No amendment shall be made but upon the second reading of a bill; and all amendments to bills and resolutions shall be in writing, with the name of the Senator and the district he represents thereon.

No amendment to any bill shall be proposed or allowed at any time or by any source, including a committee of conference, except it be germane. Amendments shall have been reviewed by the Office of Legislative Services for form, construction, statutory and chapter reference.

22. A hearing shall be held upon each bill referred to a committee, and notice of such hearing shall be advertised at least five days before hearing in the Senate Calendar.

23. When a bill is reported favorably with an amendment, the report of the committee shall state the amendment, and then recite the section of the bill in full as amended. The amendment shall be printed in the calendar of the Journal on the date that the report is listed for action. If no action is taken on that day, then the amendment shall be printed on the day to which the bill has been referred. All bills reported shall be laid upon the table and shall not be finally acted upon until the following legislative day, and a list of such bills with the report thereon shall be published in the Journal for the day on which action shall be taken.

24. Every bill and joint resolution appropriating money, which has been referred to another committee and favorably accepted by the Senate, shall be committed to the Committee on Finance for review. If any such bills have been referred jointly to the Committee on Finance and another standing committee, the Committee on Finance may report separately and a further public hearing may be held at the discretion of the Committee on Finance. All bills appropriating money, which are referred to the Committee on Finance may have only one hearing.

25. All warrants, subpoenas and other processes issued by order of the Senate shall be under the hand and seal of the President attested by the Clerk.

26. All committees of the Senate, including senate members on committees of conference, shall consist of members of both parties as nearly equal as possible, provided that on all committees, both parties shall be represented. The President shall appoint the members of all committees, after consulting with the minority leader.

27. The standing committees of the Senate shall be as follows: The Committee on Finance, Committee on Capital Budget, Committee on Ways and Means, Committee on Education, Committee on Internal Affairs, Committee on Interstate Cooperation, Committee on Public Institutions, Health and Human Services, the Committee on

Transportation, Committee on Executive Departments, Committee on Development, Recreation and Environment, Committee on Judiciary, Committee on Banks, Committee on Insurance, Committee on Public Affairs, and the Committees on Rules and Resolutions, Journal, and Enrolled Bills.

28. Messages shall be sent to the House of Representatives by the Clerk of the Senate.

29. Messages from the Governor or House of Representatives may be received at all times, except when the Senate is engaged in putting the question, in calling the yeas and nays, or in counting the ballots.

30. All questions shall be put by the President, and each member of the Senate shall signify his assent or dissent by answering yea or nay. If the President doubts, or a division is called for, the Senate shall divide. Those in the affirmative on the question shall first rise from their seats and stand until they be counted. The President shall rise and state the decision of the Senate.

31. No person except members of the executive, or members of the House of Representatives and its officers, shall be admitted to the floor or the Senate, except by the invitation of the President, or some member with his consent.

32. The Senate shall adjourn to meet on the subsequent legislative day for the early session at the time mentioned in the adjournment motion. The late session shall immediately follow the early session unless the Senate shall otherwise order.

33. No standing rule of the Senate shall be suspended unless two-thirds of the members present vote in favor thereof. This rule shall not apply to Senate Rule 9.

34. No rule shall be rescinded unless two days notice of the motion has been given and two-thirds of those present vote therefor.

35. The Senate may resolve itself into a Committee of the Whole at any time on motion made for that purpose; and in forming a Committee of the Whole, the President shall leave the chair, and appoint a chairman to preside in committee.

36. The President when performing the duties of the Chair may, at any time, name any member to perform the duties of the Chair.

37. The staff of the Senate shall be comprised of a clerk, an assistant clerk, a sergeant-at-arms, and a doorkeeper who are to be elected by the Senate, and such other personnel as the President shall appoint. The President shall define the duties of all members of the Senate staff which are not fixed by statute or otherwise ordered by the Senate.

38. Each member of the staff of the Senate shall be available on call to carry out the work of the Senate.

39. The committees shall promptly consider and report on all matters referred to them. The President may authorize such committees having a heavy load of investigation, redrafting, research or amendments to meet as needed on non-legislative days during the legislative session. The Clerk of the Senate shall prepare a list by number, title and sponsor of all Senate bills and resolutions in committee which have not been acted upon within one week before the deadline established for the transfer of bills and resolutions from the Senate to the House of Representatives, and he shall distribute this list to every member of the Senate as soon as it is prepared.

40. Any appeal from the ruling of the presiding officer shall be decided by majority vote of the members present and voting.

41. No new motion shall be admitted under color of amendment as a substitute for the motion under debate.

42. No member shall vote on any question in which he is directly interested; nor shall he be required to vote in any case where he was not present when the question was put; nor sit upon any committee when he is directly interested in the question under consideration. In case of such interest of a member of a committee, the fact shall be reported to the Senate and another person may be substituted on that question in his place.

43. Action on the floor of a report of the Committee on Finance or a Committee of Conference on either the general appropriations (budget) bill or the capital budget bill, shall not be taken by the Senate, until said report has been available from the Senate Clerk twenty-four hours in advance, in written form. Nongermane amendments and footnotes to such bills (except footnotes in explanation of the principal text of such bills or designating the use or restriction of any funds or portions thereof) are prohibited and shall not be allowed under any circumstances.

44. PERSONAL PRIVILEGE: A Senator may, as a matter of personal privilege, defend his position on a bill, his integrity, his record,

or his conduct, against unfair or unwarranted criticism, or may speak of an issue which relates to his rights, privileges or conveniences as a Senator; provided, however, the matters raised under personal privilege shall not be subject to questioning, answer, or debate, by another Senator. Personal Privilege remarks may be included in the Daily Journal if requested by the Senator, and in the Permanent Journal by vote of the Senate. A Senator may speak on other matters of his choosing and in such cases may be subject to questioning and/or answer according to the Rules of the Senate.

45. No officer or employee of the Senate during the session or any adjournment thereof shall purchase or contract for the purchase, pay or promise to pay any sum of money on behalf of the Senate or issue any requisition or manifest without the approval of the Senate President.

46 If a drafting request for a bill or resolution has been filed with the office of Legislative Services requiring a fiscal note as provided in RSA 14:44-47, the substance or a draft of the proposal may be provided to the legislative budget assistant for preparation of the required fiscal note without the specific consent of the sponsor of the proposal, provided that the identity of the sponsor shall not be disclosed.

Adopted.

Senator Preston moved the following Resolution:

RESOLUTION

Relative to the salary and mileage payments
to the members of the Senate.

RESOLVED, that the salary of the members of the Senate be paid in one undivided sum as early as practical after the adoption of this Resolution, and be it further,

RESOLVED, that the mileage of members of the Senate be paid every two weeks during the session.

Adopted.

SENATOR PRESTON (under Rule 44): I promised myself I was not going to stand up this early in the session to speak under any Rule 44, but I think this little story, if I might relate it and we have the time, is important at this time of year. If you recall, downstairs two years ago, my wife and others were down there on an organ tissue donation program to put on your licenses. That was initiated when a

young women from Hampton called and said that she wanted someone to head up an awareness program for donation of organs and putting it on your licenses. She herself, a thirty year old woman, was awaiting a heart and lung transplant. That young lady has lived for almost three years, day to day, waiting for a call. Her family was going to be up here this morning participating in the drive. But, yesterday afternoon at three o'clock, they received a call from the Johns Hopkin Hospital in Baltimore. They were taken to Pease Air Force Base and this young woman and her parents were taken down to Baltimore. We received a call last night that the organ donor had compatible tissues and she was being taken into the operating room at 10:30 last night. The Chief of Police in Hampton called us this morning and indicated that, Ms. Dubois, whose picture is on this program, had come out of surgery satisfactorily and was being aided by a respiratory machine but everything looked good. So, for any and all assistance that you've given us, it's something that we've done, Awareness New Hampshire, for this young lady I say a big thank you and it sounds like a happy ending to a nice story and I ask for your prayers for this young lady.

ANNOUNCEMENTS

PRESIDENT'S MESSAGE

PRESIDENT BARTLETT: I would like to thank you and I appreciate you reelecting me to the office of the Senate President. I will try to administer this office in a fair and even manner. I will continue my open door policy, we found that that worked very well and that the Senate, and the many people both in the Senate and outside the Senate, felt that we had a very functional Senate and through the scheduling and cooperation of you all, that we completed our business effectively and on time. The next two years are going to be a little different. Right now we have very exciting times. We have a new Governor, and on January 20th John Sununu will become George Bush's Chief of Staff. All these actions make us in New Hampshire very proud. I don't wish to make a speech of gloom and doom. However, when there is a change of administration, I warn you, if you have not been here before, that all department heads say that this is the time to make hay. And you will see a tremendous amount of requests from department heads and those people who feel that this is the time if we're going to do it we'd better do it now. We're going to be faced with difficult decisions. Last evening I sat with Governor and Mrs. Duprete of Rhode Island and after we said hello, the first thing he said was "How are your revenues?". The State of Rhode Island has been doing very well. The past couple of

years they had an excess of a half million dollars surplus. The Governor said those days are gone! As much as they've tried to create an economy in their government, their revenues are flattening out. You don't have to pick up a Boston paper very often to read that it had originally started out with a hundred million dollar revenue short fall, and as of this morning that hundred million dollar revenue short fall is projected at half a billion. You know, you sit up here and you project these figures and you put things together and you think you've done a good job and you try to be conservative and you try to be elaborate on your revenues, but you really try to come down with a figure that you can control. If you read our papers, you'll know that our revenues are not doing what we thought they were going to. But, then on the other side, someone will say that they are doing better and then you'll hear that we have surpluses and we don't have surpluses, we have obligations. I don't believe that the State of New Hampshire is going to be lucky to have a large surplus to deal with. I'm not talking about the 1991 budget, I'm talking about the balance of 1989 and I see Senator Blaisdell shaking his head. This biennium we haven't addressed some of those statutory obligations that we promised to address last April. The reason why we did not address them, those obligations, was that we wanted to have a better handle on the revenues come December and January. It would appear that those statutory obligations are running in the 13 to 15 million dollar category and those are obligations that we have to meet before we do any other type of spending. It may well be that we have the revenues, we'll know better the end of this month, the first of January. If we don't have them we're going to have some real difficulties. But, I believe through the cooperation of all of us and our intention to do the best for the State of New Hampshire that we'll meet this challenge and we'll wind up with a balanced budget come 1989. We're going to spend a lot of time in 1990 and 1991, that budget has already been started and hearings have been started and that budget must be presented to the body by February 15th.

You're supposed to have elaborate goals when you take office and I guess most of the intention is to get in here and get out alive without getting skunked, but it's my intention that we'll continue to work with the House as we did last year and I've received accolades throughout the entire State and as you heard the Governor say today; you can't do it without one another. The Speaker and I have spoken and we've agreed that we'll continue that spirit of cooperation. He and I have known each other for a long time and the past two years we've gotten to know each other a lot better. We do not intend to let our line of communication and our openness deteriorate. We will continue to work in the best interest of the State. It's

really been a pleasure working with Doug Scamman. He's been up front and he's an easy guy to work with and he knows the system and he knows how far we can go and he's been on all the committees in the House so he understands. So, when we sit down and get down to the serious things, we may do a little kidding around, but when we get to the serious point of view he really understands the system and knows how far we can get. He makes it really easy to work with. I think the leadership in this Senate will strive to make the next two years ones you can be proud of. All of you will continue to have the opportunity to express your views on every issue. The Senate will not go to a consent calendar. The majority will rule as always. When we adjourn, I hope we do adjourn, and when we adjourn each year that you will walk out of these Chambers and feel that we have accomplished and promoted legislation in the best interest of New Hampshire and its citizens and that when you walk out that door that you will have been proud to have been a member of this body and proud to have been a Senator of the State of New Hampshire. Thank you very much.

HOUSE MESSAGE

The House of Representatives has attended to its business and is ready to meet the Honorable Senate in Joint Convention for the purpose of electing a State Treasurer and Secretary of State.

Recess for Joint Convention.

Out of Recess.

ANNOUNCEMENT OF LEADERSHIP POSITIONS

Senate Pro Tem: - Senator Eleanor Podles
Vice President: - Senator Rhona Charbonneau
Majority Leader: - Senator Edward Dupont
Democrat Leader: - Senator Robert Preston
Assistant Majority Leader: - Senator Franklin Torr
Majority Whip: - Senator Sheila Roberge
Assistant Majority Whip: - Senator Susan McLane
Assistant Majority Whip: - Senator Roger Heath
Assistant Minority Leader: - Senator Robert Stephen
Assistant Minority Leader: - Senator Mary Nelson
Assistant Democrat Leader: - Senator James St. Jean
Minority Whip: - Senator Elaine Krasker
Deputy Minority Whip: - Senator George Disnard
Deputy Minority Whip: - Senator Wayne King
Dean of the Senate (Non-partisan): - Senator Clesson J. Blaisdell

RESOLUTION

Senator Dupont moved that the Senate be in recess to the call of the Chair for the sole purpose of introducing legislation, referring bills to committee, and scheduling hearings.

Adopted.

Recess.

Out of Recess.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Wednesday, January 4, 1989 at 12:30 p.m..

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Wednesday, January 4, 1989

The Senate met at 1:00 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, it is good for us all to be here - to open the 1989-90 Session! May we have the knowledge and insight to meet the needs - which shall come before us.

Bless Us Lord - so to perform

Amen

Senator McLane led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

INTRODUCTION OF NEW SENATE STAFF

Linda Buskey

Patricia Borghoff

Debora Blake

Interstate Cooperation and Public Affairs

Banks and Ways and Means

Research Assistant

El Glaser

Recording Clerk

Jeanne Geiman

Calendar Clerk

INTRODUCTION OF SENATE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 5 through 34 and CACR 1 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

SB 5, permitting a corporation to limit the liability of its directors and officers in its articles of incorporation. (Roberge of Dist. 9; Palumbo of Rockingham Dist. 10 - To Insurance)

SB 6, extending the statute of limitations for certain fish and game offenses. (Bond of Dist. 1; Johnson of Dist. 17; Sherburne of Rockingham Dist 2 - To Development, Recreation and Environment)

SB 7, limiting the horsepower of motors on Christine Lake in the town of Stark. (Bond of Dist. 1 - To Development, Recreation and Environment)

SB 8, relative to workers' compensation coverage of firemen. (Bond of Dist. 1 - To Insurance)

SB 9, to clarify how to designate highways to summer cottages. (Bond of Dist. 1 - To Transportation)

SB 10, repealing a chapter on floating timber and damage therefrom. (Preston of Dist. 23; Delahunty of Dist. 22; Maviglio of Belknap Dist. 1; Lewis of Merrimack Dist. 5; - To Interstate Cooperation)

SB 11, prohibiting ski craft on various lakes of the state. (McLane of Dist. 15 - To Internal Affairs)

SB 12, relative to the Uniform Gifts to Minors law. (McLane of Dist. 15 - To Judiciary)

SB 13, relative to the definition of legislative and governing bodies of municipalities. (Bass of Dist. 11 - To Public Affairs)

SB 14, relative to alcohol concentration tests for driving while intoxicated and other offenses. (Johnson of Dist. 17; Musler of Strafford Dist. 3 - To Transportation)

SB 15-FN, relative to New Hampshire hospital reimbursements for certain observations. (Bond of Dist. 1 - To Public Institutions, Health and Human Services)

SB 16, relative to post-termination commissions paid to sales representatives. (Freese of Dist. 4; Fraser of Merrimack Dist. 6 - To Judiciary)

SB 17, allowing the wetlands board authority to issue cessation orders pending a hearing. (Preston of Dist. 23; Delahunty of Dist. 22; Bardsley of Merrimack Dist. 1; Lewis of Merrimack Dist. 5; Dickin-son of Carroll Dist. 2 - To Internal Affairs)

SB 18, relative to forest and brush fires. (Bond of Dist. 1 - To Development, Recreation and Environment)

SB 19, establishing a joint legislative oversight committee on highway and bridge construction and reconstruction plans. (Torr of Dist. 21; Preston of Dist. 23 - To Capital Budget)

SB 20, relative to the method of taking deer in the city of Dover. (Torr of Dist. 21; Torr of Strafford Dist. 6 - To Development, Recreation and Environment)

SB 21-FN, establishing authority for revolving funds for publications and training in the office of state planning. (Freese of Dist. 4; Bond of Dist. 1; Blanchard of Rockingham Dist. 26 - To Executive Departments)

SB 22, relative to certain forestry activities in wetlands. (Blaisdell of Dist. 10 - To Development, Recreation and Environment)

SB 23, relative to the executive director of the liquor commission. (Bartlett of Dist. 19 - To Internal Affairs)

SB 24, relative to liquor store displays and promotions. (Bartlett of Dist. 19 - To Executive Departments)

SB 25, reinstating the charter of Geometric Wire Co., Inc. (St. Jean of Dist. 20 - To Public Affairs)

SB 26, relative to subpoena powers of arbitrators in labor arbitration. (Bond of Dist. 1 - To Executive Departments)

SB 27, relative to the liability of landowners for pollutant clean-up. (Bass of Dist. 11 - To Development, Recreation and Environment)

SB 28, relative to property purchases by executive departments. (Stephen of Dist. 18; Disnard of Dist. 8; Torr of Dist. 21 - To Executive Departments)

SB 29-FN, relative to nonabandonment of dedicated streets. (Krasker of Dist. 24; Blanchard of Rockingham Dist. 26 - To Transportation)

SB 30-FN, establishing a committee to study all aspects of the effect on consumers of emerging changes in the financial services industry. (Dupont of Dist. 6; Fraser of Merrimack Dist. 6 - To Banks)

SB 31, relative to renovation of the Rochester post office as a district court facility. (Dupont of Dist. 6 - To Internal Affairs)

SB 32-FN, relative to drug offenses. (Dupont of Dist. 6 - To Judiciary)

SB 33-A, relative to construction on the Spaulding turnpike and making an appropriation therefor. (Dupont of Dist. 6; Frechette of Strafford Dist. 8 - To Capital Budget)

SB 34, nullifying the sunset termination of the port authority scheduled for July 1, 1989. (Krasker of Dist. 24; Torr of Dist. 21 - To Transportation)

CACR 1, relating to meetings of the general court. Providing that the general court shall meet biennially. (Preston of Dist. 23 - To Executive Departments)

HOUSE MESSAGE

The House of Representatives is ready to meet with the Honorable Senate in Joint Convention at 1:35 p.m. for the purpose of canvassing the votes for Governor and Councilors, and for attending to an exaugural address by His Excellency, John H. Sununu.

Senator Dupont moved to concur with the House message.
Adopted.

Recess
Out of Recess

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILL

HB 152, legalizing a special town meeting of the town of Littleton.

SUSPENSION OF THE RULES

Senator King moved the rules of the Senate be suspended as to dispense with the reference to Committee, the holding of a hearing, the notice of report in the calendar and the bill be put on Second Reading at the present time.

Adopted.

Senator King moved Ought to Pass.

SENATOR KING: This is a result of a very small technical problem that occurred a short time ago, at the town meeting in the town of Littleton. The law requires that two checklists be posted in the town before a special town meeting. One of those checklists was posted and the other one was sitting on a table in the clerk's office. There was a small court case as a result of this. The judge said it was a technical problem and not a real issue and that the town meeting should be considered to be legal. We just want to make it completely clear that it is indeed legal.

Adopted.

Senator King moved that the rules of the Senate be further suspended to allow the bill be put on Third Reading and Final Passage at the present time.

Adopted.

Third Reading and Final Passage

HB 152, legalizing a special town meeting of the town of Littleton.

Adopted.

Senator Roberge moved a moment of silence in memory of Representative Guy R. Granger, Jr.

Adopted.

ANNOUNCEMENTS

RESOLUTION

Senator Charbonneau moved that the Senate be in recess until

Thursday, January 5, 1989 at 11:30 a.m. for the sole purpose of introducing legislation, referring bills to committee, scheduling hearings and enrolling bills.

Adopted.

Recess

Out of Recess

ENROLLED BILLS REPORT

HB 152, legalizing a special town meeting of the town of Littleton.

Recess

Out of Recess

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, January 5, 1989 at 11:30 a.m.

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment.

Thursday, January 5, 1989

The Senate met at 11:30 a.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Oh Lord, our Governor, whose glory is in all the world. Look down with favor upon the installation of thy servant Judd Gregg - whom shall be our new Governor. Fill him with wisdom and a strong sense of insight into the needs of our State. Bless us all, Lord.

Amen

Senator Magee led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

INTRODUCTION OF SENATE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 35 through 173 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

SB 35-FN, relative to testing for AIDS when necessary to protect the health of a law enforcement officer. (Preston of Dist. 23 - To Public Institutions, Health and Human Services)

SB 36-FN-A, relative to catastrophic costs and school buildings aid and making appropriations therefor. (Hough of Dist. 5; Blaisdell of Dist. 10; Disnard of Dist. 8; Johnson of Dist. 17 - To Education)

SB 37-FN-A, making a supplemental appropriation for area vocational school tuition and transportation. (Hough of Dist. 5; Blaisdell of Dist. 10; Johnson of Dist. 17; Disnard of Dist. 8 - To Education)

SB 38-FN, relative to fireworks. (Preston of Dist. 23; Klemarczyk of Rockingham Dist. 13; Hoar of Rockingham Dist. 6 - To Executive Departments)

SB 39, establishing a speed limit for power boats on Spofford Lake. (Blaisdell of Dist. 10 - To Development, Recreation and Environment)

SB 40, relative to speed limits for power boats on the Connecticut River. (Blaisdell of Dist. 10 - To Development, Recreation and Environment)

SB 41, repealing an exemption from real estate licensing for sale of manufactured housing by manufactured housing park owners. (Johnson of Dist. 17; McCain of Rockingham Dist. 11; Hall of Merrimack Dist. 7 - To Executive Departments)

SB 42, relative to the personnel appeals board. (Freese of Dist. 4; Ward of Grafton Dist. 1; - To Executive Departments)

SB 43-FN, relative to licensing engineers, architects, and land surveyors. (Charbonneau of Dist. 14; Nelson of Dist. 13 - To Executive Departments)

SB 44-FN, requiring the superior court to adjudicate paternity in certain contested cases. (Roberge of Dist. 9; Pignatelli of Hillsborough Dist. 31; Domini of Sullivan Dist. 5 - To Judiciary)

SB 45-FN, relative to child support enforcement. (Roberge of Dist. 9; Nelson of Dist. 13; Pignatelli of Hillsborough Dist. 31; Domini of Sullivan Dist. 5 - To Judiciary)

SB 46-FN, relative to wage withholding for child support. (Roberge of Dist. 9; Nelson of Dist. 13; Pignatelli of Hillsborough Dist. 31; Domini of Sullivan Dist. 5 - To Judiciary)

SB 47, authorizing a day for fishing without a license. (McLane of Dist. 15; Heath of Dist. 3 - To Development, Recreation and Environment)

SB 48-FN, authorizing the sale of a certain parcel of state land to a water district. (Dupont of Dist. 6; Musler of Strafford Dist. 3 - To Development, Recreation and Environment)

SB 49-FN-A, requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program and making an appropriation therefor. (Disnard of Dist. 8 - To Education)

SB 50, relative to metering liquid hazardous waste. (Heath of Dist. 3 - To Development, Recreation and Environment)

SB 51-FN, relative to the Christa McAuliffe planetarium. (Heath of Dist. 3 - To Public Affairs)

SB 52, relative to drug paraphernalia. (Nelson of Dist. 13; Magee of Dist. 12; Charbonneau of Dist. 14 - To Judiciary)

SB 53-FN, relative to assessing time share interests. (Bond of Dist. 1 - To Executive Departments)

SB 54-FN, conditionally extending the date for raising of funds by the trust fund for the prevention of child abuse and neglect. (Podles of Dist. 16; Krasker of Dist. 24; Wallner of Merrimack Dist. 21; Domaigne of Hillsborough Dist. 42 - To Judiciary)

SB 55, relative to the children's trust fund for the prevention of child abuse and neglect. (Podles of Dist. 16; Wallner of Merrimack Dist. 21 - To Executive Departments)

SB 56-FN, relative to the disposition of fines and forfeitures collected for violations of municipal ordinances, codes, and regulations. (Preston of Dist. 23; Gage of Rockingham Dist. 13 - To Judiciary)

SB 57-FN, relative to mandatory recycling for state agencies. (Torr of Dist. 21; Dupont of Dist. 6; Torr of Strafford Dist. 6 - To Development, Recreation and Environment)

SB 58-A, appropriating funds to reimburse the highway surplus account used for rehabilitation of the Cornish-Windsor bridge. (Disnard of Dist. 8 - To Capital Budget)

SB 59-A, appropriating funds to the land conservation investment program. (Blaisdell of Dist. 10; Peyron of Sullivan Dist. 2; Burns of Coos Dist. 5 - To Finance)

SB 60, relating to recording dock permits. (Preston of Dist. 23; Delahunty of Dist. 22; Young of Strafford Dist. 10 - To Development, Recreation and Environment)

SB 61-FN-A, relative to preserving the old state house and making an appropriation therefor. (Krasker of Dist. 24; Dupont of Dist. 6; Blanchard of Rockingham Dist. 26; Sanderson of Rockingham Dist. 25; LaMott of Grafton Dist. 5; Ritzo of Rockingham Dist. 18; Pearson of Belknap Dist. 5 - To Finance)

SB 62-FN, relative to golf courses and discretionary easements for the purposes of current use taxation. (St. Jean of Dist. 20 - To Development, Recreation and Environment)

SB 63-FN, relative to enforcement of child medical support. (Roberge of Dist. 9; Nelson of Dist. 13; Pignatelli of Hillsborough Dist. 31; Domini of Sullivan Dist. 5 - To Insurance)

SB 64-FN, relative to asbestos management penalties. (Nelson of Dist. 13; Magee of Dist. 12; Charbonneau of Dist. 14 - To Interstate Cooperation)

SB 65-FN, relative to mental health insurance benefits. (Bond of Dist. 1 - To Insurance)

SB 66, relative to deregulation of haulers of solid waste. (Heath of Dist. 3 - To Interstate Cooperation)

SB 67-FN, relative to regulation of excavation of sand, gravel, and construction aggregate. (Torr of Dist. 21; Bond of Dist. 1; Blaisdell of Dist. 10; Greene of Rockingham Dist. 18; Phelps of Merrimack Dist. 1; Stio of Merrimack Dist. 5 - To Capital Budget)

SB 68-FN-A, relative to mandatory membership in regional planning commissions and making an appropriation therefor. (Bass of Dist. 11 - To Public Affairs)

SB 69-FN, establishing the home mortgage guarantee authority. (Freeze of Dist. 4 - To Internal Affairs)

SB 70-FN-A, establishing a pilot program to test the application of the office of state planning's GRANT system and making an appropriation therefor. (Freeze of Dist. 4 - To Public Affairs)

SB 71, authorizing the removal of a boat and mooring under certain circumstances. (Heath of Dist. 3 - To Interstate Cooperation)

SB 72, authorizing the department of resources and economic development to negotiate development rights and timber rights with private land owners. (Bond of Dist. 1; Heath of Dist. 3 - To Interstate Cooperation)

SB 73-FN, establishing a committee to study taxing smokeless tobacco. (Bass of Dist. 11; McLane of Dist. 15 - To Ways and Means)

SB 74-FN, increasing civil penalties for wetlands violations. (Preston of Dist. 23; Delahunty of Dist. 22; Beaton of Merrimack Dist. 3; Conroy of Rockingham Dist. 7 - To Internal Affairs)

SB 75-FN, requiring recording of wetlands permits with the registry of deeds. (Preston of Dist. 23; Delahunty of Dist. 22; Lewis of Merrimack Dist. 5 - To Internal Affairs)

SB 76, relative to durable power of attorney for health care. (McLane of Dist. 15 - To Judiciary)

SB 77-FN, relative to a holiday pay for part-time state employees. (McLane of Dist. 15; Krasker of Dist. 24; Elliott of Hillsborough Dist. 2 - To Finance)

SB 78-FN-A, making appropriations to the WIC program. (McLane of Dist. 15; Blaisdell of Dist. 10; Hough of Dist. 5; Wallner of Merrimack Dist. 21 - To Public Institutions, Health and Human Services)

SB 79-FN, relative to state employee bargaining rights. (Bond of Dist. 1; Currier of Dist. 7; Hawkins of Belknap Dist. 5 - To Insurance)

SB 80, authorizing municipalities to exercise certain enforcement powers. (Hough of Dist. 5 - To Development, Recreation and Environment)

SB 81-FN, relative to the management of court facilities. Hough of Dist. 5; Blaisdell of Dist. 10; Palumbo of Buckingham Dist. 10; Chambers of Grafton Dist. 12 - To Internal Affairs

SB 82-FN, relative to judicial retirement pay and to vested rights in judicial retirement compensation. Hough of Dist. 5; Blaisdell of Dist. 10; McLane of Dist. 15; Palumbo of Buckingham Dist. 10; Chambers of Grafton Dist. 12 - To Finance

SB 83-FN-A, making an appropriation to support the conservation corps. Dismard of Dist. 8; McLane of Dist. 15; Bardsley of Merrimack Dist. 1; Foster of Cheshire Dist. 17; Dimini of Sullivan Dist. 5 - To Development, Recreation and Environment

SB 84, to require drivers on motorcycles and OHRVs to wear eye and face protection. Magee of Dist. 12; Nelson of Dist. 13 - To Transportation

SB 85-FN, establishing a state board of forensic polygraph examiners. Nelson of Dist. 18; McCann of Hillsborough Dist. 31; Kuchinski of Hillsborough Dist. 28 - To Internal Affairs

SB 86, prohibiting ski craft on Big Island Pond and Wilson Pond. Delahunty of Dist. 22 - To Development, Recreation and Environment

SB 87-FN, relative to exposure by firefighters and emergency medical technicians to infectious disease. Preston of Dist. 23 - To Public Institutions, Health and Human Services

SB 88-FN, providing a cost of living adjustment for certain group I members. Blaisdell of Dist. 10; McLane of Dist. 15; Hough of Dist. 5; Torr of Dist. 21 - To Insurance

SB 89-FN, providing a 5 percent cost of living adjustment for group I retirement system members. Blaisdell of Dist. 10; McLane of Dist. 15; Hough of Dist. 5; Torr of Dist. 21 - To Insurance

SB 90-FN, providing a 4 percent cost of living adjustment for group II members. Blaisdell of Dist. 10; McLane of Dist. 15; Hough of Dist. 5; Torr of Dist. 21 - To Insurance

SB 91-FN, providing a 20 percent cost of living adjustment for teachers retired prior to July 1957. Blaisdell of Dist. 10; McLane of Dist. 15; Hough of Dist. 5; Torr of Dist. 21; Hawkins of Belknap Dist. 5 - To Insurance

SB 92-FN, relative to the bargaining rights of state employees. (St. Jean of Dist. 20; Nelson of Dist. 13 - To Insurance)

SB 93-FN, relative to the number of primary ballots to be used for computerized voting machines. (Preston of Dist. 23 - To Public Affairs)

SB 94-FN, authorizing the sale of liquor and beverages in additional areas under a liquor license. (Delahunty of Dist. 22; Skinner of Rockingham Dist. 21 - To Executive Departments)

SB 95-FN, establishing a minimum fine for violating the boat decibel limits. (Blaisdell of Dist. 10 - To Transportation)

SB 96-A, relative to the Portsmouth district court and the Concord district court and making an appropriation therefor. (Krasker of Dist. 24; McLane of Dist. 15; Blanchard of Rockingham Dist. 26; Hager of Merrimack Dist. 21 - To Capital Budget)

SB 97-FN, relative to the distribution of drug forfeiture money. (Bartlett of Dist. 19 - To Internal Affairs)

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality. (Currier of Dist. 7 - To Public Affairs)

SB 99-FN, supplementing the funding for programs which assist victims of domestic violence. (Krasker of Dist. 24; Dupont of Dist. 6; Torr of Dist. 21; St. Jean of Dist. 20; Podles of Dist. 16; Gage of Rockingham Dist. 13; Gross of Merrimack Dist. 16; Hollingworth of Rockingham Dist. 17; LaMott of Grafton Dist. 5 - To Public Institutions)

SB 100-FN, relative to pari-mutuel racing. (Blaisdell of Dist. 10; Heath of Dist. 3 - To Ways and Means)

SB 101-FN-A, relative to the production of music education videotapes for classroom use and making an appropriation therefor. (Podles of Dist. 16; Disnard of Dist. 8; Blaisdell of Dist. 10; Skinner of Rockingham Dist. 21; Lown of Hillsborough Dist. 9; Domaingue of Hillsborough Dist. 42 - To Education)

SB 102-FN-A, relative to closed circuit televised boxing and wrestling matches. (Stephen of Dist. 18; Preston of Dist. 23; St. Jean of Dist. 20; Nelson of Dist. 13; Disnard of Dist. 8; Johnson of Dist. 17; Charbonneau of Dist. 14; Podles of Dist. 16; Dupont of Dist. 6; Bond of Dist. 1; Heath of Dist. 3; Delahunty of Dist. 22; Krasker of Dist. 24 - To Executive Departments)

SB 103-FN, relative to hospital and medical benefits for certain retired state employees. (McLane of Dist. 15; Fillion of Merrimack Dist. 15 - To Insurance)

SB 104, relative to land acquisition for the construction of a ramp on Route 3 at the Massachusetts border. (Nelson of Dist. 13; Magee of Dist. 12; McCann of Hillsborough Dist. 31 - To Capital Budget)

SB 105-FN-A, making an appropriation for improving electrical service at Weeks state park in Lancaster. (Bond of Dist. 1 - To Finance)

SB 106-FN, relative to driver's license applications by nonresident drivers. (Delahunty of Dist. 22; Heath of Dist. 3; Disnard of Dist. 8 - To Transportation)

SB 107, relative to the right to know law. (Nelson of Dist. 13; Lozeau of Hillsborough Dist. 25; McGovern of Rockingham Dist. 27 - To Judiciary)

SB 108-FN, relative to Skyhaven airport in Rochester. (Torr of Dist. 21; Dupont of Dist. 6 - To Transportation)

SB 109-FN-A, establishing a pilot reading recovery program and making an appropriation therefor. (Hough of Dist. 5; McLane of Dist. 15 - To Education)

SB 110, relative to joint and several liability and to pollution liability. (Blaisdell of Dist. 10; Freese of Dist. 4; Palumbo of Rockingham Dist. 10 - To Judiciary)

SB 111, relative to the operation of ski craft. (McLane of Dist. 15; Bass of Dist. 11 - To Internal Affairs)

SB 112, relative to corporal punishment in and the regulation of child care agencies and schools. (Podles of Dist. 16; Nelson of Dist. 13 - To Judiciary)

SB 113-FN-A, relative to medicaid coverage of dental benefits for all categorically eligible recipients and making an appropriation therefor. (Blaisdell of Dist. 10; McLane of Dist. 15 - To Public Institutions, Health and Human Services)

SB 114, relative to speed limits on certain roads. (King of Dist. 2; Maviglio of Belknap Dist. 1 - To Transportation)

SB 115-FN, establishing a committee to study private sector involvement in public education. (King of Dist. 2 - To Education)

SB 116-FN, to establish a committee to study the distribution of revenue from the meals and rooms tax. (King of Dist. 2 - To Ways and Means)

SB 117, reinstating the charter of Coronet Agency, Inc. (King of Dist. 2 - To Public Affairs)

SB 118-FN, relative to private rights-of-way and class VI highways. (King of Dist. 2 - To Transportation)

SB 119, relative to the central polling place for ward 2 voters in the city of Portsmouth. (Krasker of Dist. 24; Blanchard of Rockingham Dist. 26; Sanderson of Rockingham Dist. 25 - To Public Affairs)

SB 120-FN, relative to acute care. (Bartlett of Dist. 19 - To Public Institutions, Health and Human Services)

SB 121, establishing the Pittsfield regional solid waste cooperative. (Freese of Dist. 4 - To Development, Recreation and Environment)

SB 122-FN, relative to member retirement deductions for certain group II members. (Dupont of Dist. 6 - To Insurance)

SB 123, relative to the right to know law. (Dupont of Dist. 6 - To Judiciary)

SB 124-FN, relative to the sale of liquor. (Dupont of Dist. 6; Delahunty of Dist. 22 - To Internal Affairs)

SB 125, adopting the uniform trade secrets act. (McLane of Dist. 15 - To Judiciary)

SB 126-FN, to require the wearing of motorcycle helmets. (McLane of Dist. 15 - To Transportation)

SB 127-FN, relative to licensing physical therapists. (Blaisdell of Dist. 10 - To Executive Departments)

SB 128, relative to subdivision approval by planning boards. (Charbonneau of Dist. 14 - To Public Affairs)

SB 129, requiring the department of corrections to notify the division of state police when certain prisoners are paroled. (Dupont of Dist. 6 - To Executive Departments)

SB 130-A, relative to developing an additional parking lot at the technical institute at Concord and making an appropriation therefor. (McLane of Dist. 15; Heath of Dist. 3 - To Capital Budget)

SB 131-FN-A, establishing a New Hampshire film and television bureau and making an appropriation therefor. (King of Dist. 2; LaMott of Grafton Dist. 5 - To Development, Recreation and Environment)

SB 132-FN, relative to Rockingham Park. (Delahunty of Dist. 22; Disnard of Dist. 8; Blaisdell of Dist. 10 - To Ways and Means)

SB 133-FN-A, making an appropriation for Title XX grants and protective and preventive child care. (Krasker of Dist. 24; Torr of Strafford Dist. 6; Wallner of Merrimack Dist. 21; Sanderson of Rockingham Dist. 25 - To Public Institutions, Health and Human Services)

SB 134-A, relative to the purchase and maintenance of airports and making an appropriation therefor. (Dupont of Dist. 6 - To Finance)

SB 135-FN, prohibiting students from voluntarily leaving secondary school at age 16 or 17 without demonstrating literacy. (Disnard of Dist. 8; Bond of Dist. 1; Delahunty of Dist. 22; Bolduc of Belknap Dist. 10; Domaingue of Hillsborough Dist. 42 - To Education)

SB 136-FN, prohibiting abortions performed on certain minors without parental consent. (Roberge of Dist. 9; Bond of Dist. 1; Magee of Dist. 12; Nelson of Dist. 13; Fields of Hillsborough Dist. 13; Bolduc of Belknap Dist. 10; Frank of Hillsborough Dist. 13 - To Judiciary)

SB 137-FN, relative to the language, phrasing, and explanation of ballot questions. (Roberge of Dist. 9; Magee of Dist. 12; Fields of Hillsborough Dist. 13; Frank of Hillsborough Dist. 13; Bowers of Hillsborough Dist. 11; Upton of Hillsborough Dist. 11; Goulet of Hillsborough Dist. 11 - To Public Affairs)

SB 138-FN, providing supplemental education assistance to school districts with assisted housing units. (Freese of Dist. 4 - To Education)

SB 139-FN, relative to notifying property owners of zoning changes. (Podles of Dist. 16 - To Public Affairs)

SB 140-FN, relative to elderly property tax exemptions and increases in the assessed valuation of real estate. (Podles of Dist. 16; Apple of Merrimack Dist. 9; Parks of Strafford Dist. 6 - To Executive Departments)

SB 141-FN, providing business profits tax credits for the sale of certain conservation and recreation land. (Roberge of Dist. 9; Fields of Hillsborough Dist. 13; Frank of Hillsborough Dist. 13; Dube of Hillsborough Dist. 14 - To Ways and Means)

SB 142-A, making an appropriation to the vocational-technical college in Claremont. (Disnard of Dist. 8; Blaisdell of Dist. 10; Bond of Dist. 1; Hough of Dist. 5; LaMott of Grafton Dist. 5; Rodeschin of Sullivan Dist. 2; O'Rourke of Hillsborough Dist. 35; Domini of Sullivan Dist. 5 - To Education)

SB 143, relative to the sale of customer lists by a public utility. (Johnson of Dist. 17; Bond of Dist. 1; Charbonneau of Dist. 14; Podles of Dist. 16; Packard of Hillsborough Dist. 15; Pantzer of Merrimack Dist. 11 - To Public Affairs)

SB 144-FN, relative to blood alcohol tests. (Johnson of Dist. 17 - To Transportation)

SB 145-FN, to authorize municipalities to segregate non-tax revenues. (Roberge of Dist. 9; Fields of Hillsborough Dist. 13; Frank of Hillsborough Dist. 13; Dube of Hillsborough Dist. 14; Kelley of Hillsborough Dist. 13 - To Executive Departments)

SB 146-FN, relative to judicial salaries. (Hough of Dist. 5; Blaisdell of Dist. 10; St. Jean of Dist. 20; Palumbo of Rockingham Dist. 10; Chambers of Grafton Dist. 12 - To Finance)

SB 147-FN-A, relative to waiting lists for developmentally disabled persons and making an appropriation therefor. (Nelson of Dist. 13; Magee of Dist. 12; Torr of Dist. 21; Dupont of Dist. 6; St. Jean of Dist. 20; Sytek of Rockingham Dist. 20; Pignatelli of Hillsborough Dist. 31; Nardi of Hillsborough Dist. 35; Fields of Hillsborough Dist. 13; Drabinowicz of Hillsborough Dist. 32 - To Public Institutions, Health and Human Services)

SB 148-FN, relating to imposing fines for cosmetology practice violations. (Nelson of Dist. 13; Magee of Dist. 12; McCann of Hillsborough Dist. 31 - To Public Affairs)

SB 149-FN, relative to driver's licenses for minors. (Delahunty of Dist. 22; Disnard of Dist. 8; Bolduc of Belknap Dist. 10; Phelps of Merrimack Dist. 1 - To Transportation)

SB 150, relative to lapsing funds appropriated for a completed portion of Route 101 to the highway fund. (Torr of Dist. 21; Bartlett of Dist. 19; Dupont of Dist. 6; Preston of Dist. 23; Phelps of Merrimack

Dist. 1; Scamman of Rockingham Dist. 19; Palumbo of Rockingham Dist. 10; Marsh of Coos Dist. 1 - To Capital Budget)

SB 151-A, making an appropriation for the completion of New Hampshire Route 101. (Torr of Dist. 21; Bartlett of Dist. 19; Dupont of Dist. 6; Preston of Dist. 23; Phelps of Merrimack Dist. 1; Scamman of Rockingham Dist. 19; Palumbo of Rockingham Dist. 10; Marsh of Coos Dist. 1 - To Capital Budget)

SB 152-FN-A, relative to a study of a portion of the Spaulding Turnpike and making appropriation therefor. (Torr of Dist. 21; Krasker of Dist. 24; Torr of Strafford Dist. 6 - To Capital Budget)

SB 153-FN-A, requiring the director of human services to establish annually the standard of need for AFDC recipients and making an appropriation therefor. (McLane of Dist. 15; Asplund of Merrimack Dist. 10; Foster of Cheshire Dist. 17; Derosier of Hillsborough Dist. 26 - To Public Institutions, Health and Human Services)

SB 154-FN-A, relative to timely distribution of sweepstakes revenues through the foundation aid formula. (Hough of Dist. 5 - To Finance)

SB 155-FN, relative to the quarterly payment of property taxes. (Bartlett of Dist. 19 - To Public Affairs)

SB 156-FN, relative to out-of-state solid waste. (Torr of Dist. 21; Dupont of Dist. 6; Torr of Strafford Dist. 6 - To Development, Recreation and Environment)

SB 157-FN, relative to special license plates for solid waste haulers. (Torr of Dist. 21; Dupont of Dist. 6; Torr of Strafford Dist. 6 - To Development, Recreation and Environment)

SB 158-FN, relative to the sale of a mobile home park. (Dupont of Dist. 6; Nelson of Dist. 13 - To Internal Affairs)

SB 159-FN, allowing for state monitoring of private solid waste facility operations. (Dupont of Dist. 6; Roberge of Dist. 9 - To Development, Recreation and Environment)

SB 160-FN, relative to emergency rate setting powers of the public utilities commission. (Dupont of Dist. 6 - To Internal Affairs)

SB 161, authorizing regional agreements for water resources management and protection plans. (Dupont of Dist. 6; Roberge of Dist. 9;

Krasker of Dist. 24; McLane of Dist. 15; Preston of Dist. 23; Blanchard of Rockingham Dist. 26 - To Development, Recreation and Environment)

SB 162-FN-A, to return revenue to cities and towns and making an appropriation therefor. (Dupont of Dist. 6; Blaisdell of Dist. 10; Torr of Dist. 21; Currier of Dist. 7; Sytek of Rockingham Dist. 20; Palumbo of Rockingham Dist. 10; Hager of Merrimack Dist. 21; Blackett of Cheshire Dist. 12 - To Finance)

SB 163-FN, relative to power production capacity of certain small power production facilities. (Heath of Dist. 3 - To Interstate Cooperation)

SB 164-FN, relative to licensing ophthalmic dispensers. (Blaisdell of Dist. 10 - To Executive Departments)

SB 165-FN, relative to the operation of stump dumps. (Delahunty of Dist. 22; Roberge of Dist. 9 - To Development, Recreation and Environment)

SB 166, relative to modifying planning board procedures on plats. (Charbonneau of Dist. 14 - To Public Affairs)

SB 167, limiting actions against developers. (Torr of Dist. 21 - To Judiciary)

SB 168-FN, establishing a division of fire service. (Dupont of Dist. 6; Bond of Dist. 1 - to Executive Departments)

SB 169-FN, creating a committee to study school tax rates. (Currier of Dist. 7 - To Finance)

SB 170-FN-A, establishing an emergency shelter telephone service and a pilot housing voucher program, and making appropriations therefor. (McLane of Dist. 15; Podles of Dist. 16; Manus of Merrimack Dist. 17; Tarpley of Hillsborough Dist. 9 - To Public Institutions, Health and Human Services)

SB 171-FN, relative to revenue distribution. (Torr of Dist. 21; Torr of Strafford Dist. 6 - To Ways and Means)

SB 172-FN-A, relative to the capital reserve fund and making an appropriation therefor. (Blaisdell of Dist. 10; Dupont of Dist. 6; Podles of Dist. 16; Torr of Dist. 21; Delahunty of Dist. 22; Hough of Dist. 5; St. Jean of Dist. 20 - To Finance)

SB 173, adopting uniform commercial code article 2A - leases.
(McLane of Dist. 15 - To Judiciary)

HOUSE MESSAGE

The House of Representatives is ready to meet with the Honorable Senate in Joint Convention for the purpose of hearing the report of the Joint Committee appointed to compare and count the votes for Governor and Councilors, and for the inauguration of the Governor-elect, the Honorable Judd Gregg.

Senator Dupont moved that the Senate concur with the House message.

Adopted.

Recess

Out of Recess

RESOLUTION

Senator Dupont moved that the Senate be in recess to the Call of the Chair for the sole purpose of introducing legislation, referring bills to committee, and scheduling hearings.

Adopted.

Recess

Out of Recess

INTRODUCTION OF SENATE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 174-FN through 203-FN, SJR 1-FN, SJR 2, CACR 3, CACR 4 and SR 1 shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

SB 174-FN, relative to regulation of estheticians. (Nelson of Dist. 13; Magee of Dist. 12; McCann of Hillsborough Dist. 31 - To Executive Departments)

SB 175-FN-A, making an appropriation to the arts development program. (Krasker of Dist. 24; Dupont of Dist. 6; Charbonneau of Dist. 14; Disnard of Dist. 8; Sanderson of Rockingham Dist. 25; Skinner of Rockingham Dist. 21; Pappas of Hillsborough Dist. 37 - To Finance)

SB 176-FN-A, extending the pilot program for child care provider recruitment and training and making an appropriation therefor. (Krasker of Dist. 24; Wallner of Merrimack Dist. 21 - To Public Institutions, Health and Human Services)

SB 177-FN-A, establishing a grant program and a guaranteed loan fund for child care providers and making an appropriation therefor. (Krasker of Dist. 24; Wallner of Merrimack Dist. 21; O'Rourke of Hillsborough Dist. 35; Skinner of Rockingham Dist. 21; Elliott of Hillsborough Dist. 2 - To Public Institutions, Health and Human Services)

SB 178, relative to campaign financing. (St. Jean of Dist. 20; Dupont of Dist. 6; Hough of Dist. 5 - To Public Affairs)

SB 179-FN-A, establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden and making a contingent appropriation for a professional feasibility study. (Roberge of Dist. 9; Charbonneau of Dist. 14; Nelson of Dist. 13; Magee of Dist. 12; Smith of Hillsborough Dist. 21; Boucher of Merrimack Dist. 9; Conroy of Rockingham Dist. 7 - To Public Affairs)

SB 180, relative to abandoned vehicles. (Currier of Dist. 7; Roberge of Dist. 9; Torr of Dist. 21; Dupont of Dist. 6 - To Transportation)

SB 181, making technical changes in certain laws relating to dams. (Preston of Dist. 23; Delahunty of Dist. 22; Conroy of Rockingham Dist. 7 - To Development, Recreation and Environment)

SB 182, making appropriations to expand the nursing programs at the New Hampshire vocational-technical college-Claremont. (Disnard of Dist. 8; Blaisdell of Dist. 10; McLane of Dist. 15; Bond of Dist. 1; Hough of Dist. 5; Domini of Sullivan Dist. 5 - To Education)

SB 183-FN, relative to the time for holding school elections in cities. (Disnard of Dist. 8; Krueger of Sullivan Dist. 6 - To Public Affairs)

SB 184-FN, relative to the sale of fireworks. (Bass of Dist. 11 - To Executive Departments)

SB 185-FN, certifying geologists. (Roberge of Dist. 9; Bowers of Hillsborough Dist. 11; Upton of Hillsborough Dist. 11 - To Executive Departments)

SB 186-FN, relative to a property tax lien for persons over 65. (Freese of Dist. 4 - To Ways and Means)

SB 187-FN-A, relative to drug and alcohol abuse treatment at the New Hampshire state prison and making an appropriation therefor. (Nelson of Dist. 13; Hough of Dist. 5; Blaisdell of Dist. 10; Roberge of Dist. 9; Magee of Dist. 12; Stephen of Dist. 18; St. Jean of Dist. 20; Podles of Dist. 16; McCann of Hillsborough Dist. 31; Kuchinski of Hillsborough Dist. 28 - To Internal Affairs)

SB 188-FN, relative to investigating child abuse and neglect. (Podles of Dist. 16; Charbonneau of Dist. 14; Pignatelli of Hillsborough Dist. 31 - To Public Institutions, Health and Human Services)

SB 189, relative to the study of New Hampshire commuter rail service. (Nelson of Dist. 13; Magee of Dist. 12; Charbonneau of Dist. 14; McCann of Hillsborough Dist. 31 - To Transportation)

SB 190-FN, permitting cities and towns to adopt a property tax exemption for buildings equipped with fire sprinkler systems. (Roberge of Dist. 9; Coulet of Hillsborough Dist. 11; Bowers of Hillsborough Dist. 11; Upton of Hillsborough Dist. 11; Dyer of Hillsborough Dist. 7 - To Public Affairs)

SB 191-FN-A, relative to telecommunications devices for the deaf and making an appropriation therefor. (Nelson of Dist. 13; Magee of Dist. 12; Charbonneau of Dist. 14 - To Interstate Cooperation)

SB 192-FN, relative to certification of landscape architects. (Roberge of Dist. 9; Goulet of Hillsborough Dist. 11; Bowers of Hillsborough Dist. 11; Upton of Hillsborough Dist. 11; McCain of Rockingham Dist. 11 - To Executive Departments)

SB 193, relative to the removal of assistant secretaries of state. (Preston of Dist. 23; Hough of Dist. 5 - To Public Affairs)

SB 194-FN, establishing a real estate broker guaranty fund and repealing the requirement for real estate brokers' bonds. (King of Dist. 2 - To Internal Affairs)

SB 195-FN-A, establishing a family support network for families caring for children or adult family members with disabilities at home and making an appropriation therefor. (Bond of Dist. 1; Disnard of Dist. 8; Krasker of Dist. 24; Freese of Dist. 4; Wallner of Merrimack Dist. 21; Hawkins of Belknap Dist. 5; Domini of Sullivan Dist. 5 - To Public Affairs)

SB 196-FN, relative to bail reform. (Dupont of Dist. 6 - To Judiciary)

SB 197-FN, transferring pipeline safety functions from the public utilities commission to the division of safety services. (Dupont of Dist. 6 - To Internal Affairs)

SB 198-FN, repealing the anti-CWIP law. (Dupont of Dist. 6 - To Internal Affairs)

SB 200-FN-A, relative to deductions for partnerships and proprietorships under the business profits tax. (Currier of Dist. 7 - To Ways and Means)

SB 201-A, relative to construction of a New Hampshire Route 10 bypass and making an appropriation therefor. (Blaisdell of Dist. 10; Spear of Cheshire Dist. 13 - To Capital Budget)

SB 202-FN, relative to foundation aid levels. (Nelson of Dist. 13; Magee of Dist. 12; Delahunty of Dist. 22; Podles of Dist. 16; St. Jean of Dist. 20; Baldizar of Hillsborough Dist. 22; LaMott of Grafton Dist. 5; McCann of Hillsborough Dist. 31; O'Rourke of Hillsborough Dist. 35; Domaingue of Hillsborough Dist. 42 - To Finance)

SB 203-FN, relative to employing minors enrolled in school. (Hough of Dist. 5; Charbonneau of Dist. 14 - To Education)

SJR 1-FN, recognizing the importance of recycling. (Nelson of Dist. 13; Magee of Dist. 12; Roberge of Dist. 9; McCann of Hillsborough Dist. 31; Pearson of Belknap Dist. 5; Kuchinski of Hillsborough Dist. 28 - To Development, Recreation and Environment)

SJR 2, establishing a national veterans' cemetery in New England. (Preston of Dist. 23 - To Public Affairs)

CACR 3, relating to: a yearly property tax. Providing that: property taxation shall not exceed the previous year's levels by more than 5 percent in any city, town or other political subdivision, unless approved by 2/3 of the voters of such a city, town or other political subdivision. (King of Dist. 2; St. Jean of Dist. 20 - To Executive Departments)

CACR 4, relating to: initiative petitions. Providing that: referenda to enact laws may be initiated by petition. (King of Dist. 2 - To Public Affairs)

SR 1, relative to an objective review and study of the structure and operation of the fish and game commission. (Heath of Dist. 3 - To Development, Recreation and Environment)

Recess
Out of Recess

Tuesday, January 11, 1989

INTRODUCTION OF SENATE BILLS

Senator Charbonneau offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, Senate Bills numbered 1-FN-A through 4-A, 199 and 204-FN-A shall be by this resolution read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

SB 1-FN-A, making an appropriation to the liquor commission for air conditioning. (Blaisdell of Dist. 10; Hough of Dist. 5; Disnard of Dist. 8 - To Finance)

SB 2-FN, relative to restraints in motor vehicles. (Hough in Dist. 5; Copenhaver of Grafton Dist. 12; Arnesen of Grafton Dist. 7; Culbert of Hillsborough Dist. 20; Pappas of Hillsborough Dist. 37 - To Transportation)

SB 3-FN, relative to child passenger restraints in motor vehicles. (Hough of Dist. 5; McLane of Dist. 15; Krasker of Dist. 24; Chambers of Grafton Dist. 12; Robinson of Hillsborough Dist. 12; Arnesen of Grafton Dist. 7; Donovan of Hillsborough Dist. 26; Pappas of Hillsborough Dist. 37; Hill of Merrimack Dist. 14 - To Transportation)

SB 4-A, making supplemental appropriations for fiscal year 1989. (Blaisdell of Dist. 10; Dupont of Dist. 6; Podles of Dist. 16; Torr of Dist. 21; Delahunty of Dist. 22; Hough of Dist. 5; St. Jean of Dist. 20 - To Finance)

SB 199, relative to the revocation or suspension of fish and game licenses. (Heath of Dist. 3 - To Development, Recreation and Environment)

SB 204-FN-A, relative to placements of children, and making supplemental appropriations to the division for children and youth services. (Dupont of Dist. 6 - To Finance)

VACATE

Senator Preston moved to vacate SB 149-FN, relative to driver's licenses for minors, from Senate Transportation to the Senate Education Committee.

Senator Johnson seconded the motion.

Adopted.

Recess

Out of Recess

Monday, January 16, 1989

Senator Charbonneau in the Chair:

INTRODUCTION OF SENATE BILLS

Senator Bass offered the following Resolution:

RESOLVED, that the following Senate Bill having been allowed in after the sign off deadline by the Senate Rules Committee shall by this resolution be read a first and second time by the therein listed titles, laid on the table for printing and referred to the therein designated committee.

Adopted.

First and Second Reading and Referral

SB 205-FN-A, relative to establishing the New Hampshire energy authority and making an appropriation therefor. (Dupont of Dist. 6; Palumbo of Rockingham Dist. 10 - to Joint Legislative Committee to Monitor the Public Service Company of New Hampshire Reorganization Proceedings)

Recess

Out of Recess

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, February 2, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment.

Thursday, February 2, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Nelson was excused for the day.

SENATOR PODLES: I ask that a moment of silence be observed for the late Frank Wageman, a former Senator of District 16.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, look kindly upon us as we look over some of the proposed legislation which may be brought before us - taxes!! Taxation without representation brought about the Revolutionary War and the Foundation of our Country. Today, we have representation with more taxation in mind! Lord help us!!

Amen

Senator Disnard led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Senator Disnard offered a resolution honoring Mark Tremblay of Newport.

SENATOR HOUGH: I wish to thank Senator Disnard for allowing me to be part of that resolution and I would indicate to the membership that Mark's father and uncles came from Lebanon High School, and at the same time when we were all in school, they received national recognition in skiing, as Senator McLane would understand. The Tremblay family was probably one of the finest families in the city of Lebanon, both athletically, in skiing in particular, but in all sports and as good citizens. I am proud to know the family of Mark and I congratulate them.

Senator Bartlett, while I have this opportunity, may I request that the remarks of Senator Podles be made part of the permanent journal and an appropriate communique to Mrs. Wageman, reflecting

her remarks, be forwarded and also, could Senators Blaisdell, Preston and Hough instruct the clerk to prepare the necessary memorial resolution to be forwarded to the Wageman family please.

Request adopted.

COMMITTEE REPORTS

SB 205-FN-A, relative to establishing the New Hampshire energy authority and making an appropriation therefor. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: You have before you SB 205, which is the power authority bill. I could spend a fairly decent amount of time this afternoon going over the bill in detail with each one of the Senators, however, I think it is probably a bill that has received, not only its fair amount of discussion in these chambers, but also in the media. It has obviously been an issue that is somewhat controversial. It's been an issue I know some of us Republicans, in terms of expanding state government, have had some problems with. But, I can only give my assurances again to this body that it is a piece of legislation that is necessary given the unusual events that are going on in the state at the present time.

What we are going to be acting on is the amendment that is in your report. After that amendment passes, I will be making a motion to lay this bill on the table and then, we will subsequently introduce a resolution to send this bill over to the Supreme Court for an opinion. Obviously, because it is an area that the state has not ventured forth in before, there are some issues in this bill that need a hearing at the Supreme Court to determine in fact whether or not they are constitutional. It is obviously our intent at this point in time not to move this bill forward without being assured that what we lay out in this piece of legislation is, in fact, in line with what our constitutional guarantees for rights. So, at this point in time I will end my report on SB 205 and urge the Senate to act favorably on this amendment so we can then get the bigger questions of constitutionality answered over at the Supreme Court.

SENATOR KRASKER: Senator Dupont, I was not clear as to what you said about the amendment. Are we voting for the amended bill or are we voting just on the amendment in the calendar?

SENATOR DUPONT: Senator, we would be voting to amend the bill and then you would subsequently adopt the bill as amended. So, we are voting on the amendment. The reasoning behind that is we want

to send the amended version over to the Supreme Court. It makes no sense to send over the original version of the bill, so that is why it is necessary to take action on the amendment before we table it.

SENATOR PRESTON: I rise to speak in opposition to the committee report and I will be brief because I understand the procedures that will occur and we will at some future date have ample time, hopefully, to debate this issue on the floor. But, philosophically, I must vote against what's being attempted in this piece of legislation today. I've often repeated that if this had been proposed by the Democrats sitting in this chamber we would have been accused of being socialists or communists for a state take-over of private enterprise. One of the media just said to me, "Are you the capitalist going to oppose this bill?" So, I take that in good faith, but I think we're rushing into establishing the largest state authority in the history of New Hampshire. The bill very clearly says that when you vote for this bill, you're voting for "when it appears that private industry has failed to conform to the public trust" and I don't think private industry has failed to conform to the public trust in the State of New Hampshire that the process is still ongoing out there, there are bankruptcy proceedings and hearings and companies making offers and I think this is an intrusion of that process by us at this time. This is a very, very serious piece of legislation that you're condoning today by a yes vote. This legislation gives massive authority to a very small group of people who's credentials have not been established, who are unaccountable to the legislature and the public, as far as I'm concerned.

One utility has problems. Must we foist this veiled threat on all that exist out there? Could this not have an affect on utilities that might have temporary problems who seek further bonding of financing but because of the threat of a state power authority stepping in, may be unable to obtain it. Five directors with no specific qualifications to bond two billion dollars, is that what you're voting for today? A boiler plate, private cooperation wording is what I see in this piece of legislation. Do you want a public authority to be able to go out and bond two billion dollars? Do you want a public power authority that could raise electric rates without a public hearing? Do you want an authority established that could be a back door approach to the repeal of CWIP? During the proceedings at the hearing that we had, the Assistant Attorney General Smuckler responded to one of my questions. I said, "in effect this authority would authorize the adjustment of rates and not come under anti-CWIP at all, is that correct?" And the response of Mr. Smuckler was, "Correct". Is that what you're telling your constituents, that in effect this could be a

back door approach to repeal the anti-CWIP law that had bi-partisan support and elected a governor some ten years ago? If so, you ought to vote for this bill because that's the message you're conveying. No one has addressed, other than Senator Torr mentioning the fact, that there are 1800 employees of Public Service Company whose pensions and salaries and job guarantees are not even addressed. That should certainly be a concern of everyone here. Do you want to spend three million dollars, when the chairman of Senate Finance has just told us that the supplementary budget, he had to cut fifteen million dollars from education, human services and everything else; do you want to establish a three million dollar bargaining chip? I don't propose to speak any more other than to make mention, Mr. President, at the appropriate time of the response from the Supreme Court I will be addressing three floor amendments that we can debate at that time and I will tell you that one would not allow the authority to acquire any of Seabrook in its deliberations, the second would not allow the energy authority from trying to repeal an anti-CWIP in any way, legislation that passed in 1979. Also, to repeal the entire authority if the federal energy regulatory commission determines that the Public Service could not come under FER. After all, isn't that the real reason this bargaining chip was put forward? Thank you.

SENATOR DISNARD: Senator Dupont, would you please explain to me. I was on the phone this morning informing people that I would be voting today to table, now why has that been changed? I just don't understand the procedure that's going on.

SENATOR DUPONT: Senator Disnard, we need to include the amendment in what we're going to send over to the Supreme Court. So, if we merely table the bill, the amendment would not be included in what we send over to the Supreme Court.

SENATOR DISNARD: We would just be voting on the amendment, not the bill?

SENATOR DUPONT: That is correct. We're going to vote to amend the bill and then we're not going to vote on the bill itself.

CHAIR: We cannot send anything over to the court until this body has taken some action on it and has it in place. We will now have it in place, it will go to the table and then a resolution will follow. But the Supreme Court will not accept anything until the full bill is before the body.

AMENDMENT TO SB 205-FN-A

Amend RSA 362-B:14 as inserted by section 1 of the bill by replacing it with the following:

362-B:14 Issuance of Revenue Bonds. The authority may issue bonds which shall be obligations of the authority and not general obligations of the state. Such bonds may be issued from time to time for its corporate purposes, including, without limitation, financing the pre-acquisition and other costs of acquisition of any utility business, properties or securities, for the construction of electric utility facilities and related purposes or for paying or refunding any bonds issued pursuant to this section or interest thereon and may be issued in sufficient amount to cover items described in RSA 362-B:19. Bonds issued hereunder shall be special obligations of the state, and the principal of, premium, if any, and interest on all bonds shall be payable solely by the authority in accordance with the provisions of this chapter. The authority shall prior to each new issuance of bonds provide written notice to the legislative fiscal committee of the maximum amount of bonds proposed to be issued and the proposed use of the bond proceeds not less than 20 days prior to the authorization of such issuance by the governor and council. The bonds shall be issued by the authority in such amounts not exceeding in the aggregate \$2,000,000,000 as the governor and council shall determine, after consideration of any recommendations of the legislative fiscal committee. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker's loan rate or other method as may be determined by the authority, and shall mature at such time or times as may be determined by the authority, except that no bonds shall mature more than 50 years from their date of issue. Bonds may be made redeemable before maturity either at the option of the authority or at the option of the holder, or upon the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the authority prior to the issuance of the bonds. The authority shall determine the form and detail of the bonds. Subject to RSA 93-A, the bonds shall be signed by the executive director and the treasurer of the authority. The bonds may be sold in such manner, either at public or private sale, for such price, at such rate or rates of interest, or at such discount in lieu of interest as the authority may determine.

Amend RSA 362-B:29 as inserted by section 1 of the bill by replacing it with the following:

362-B:29 The authority shall establish and maintain in effect at all times rates and charges which are just and reasonable and sufficient

in its judgment for the prudent construction, operation, and maintenance of its system and, in any event, shall establish and maintain in force rates and charges conforming to the provisions of any security document securing bonds issued by the authority under this chapter, including, without limitation, provisions relating to accruals for depreciation, debt service coverage, and the maintenance of reserves.

Amend RSA 362-B:39 as inserted by section 1 of the bill by replacing it with the following:

362-B:39 Agreement of the State; Contingent Termination of Authority.

I. The state of New Hampshire does hereby pledge to and agree with the holders of any bonds issued under this chapter that the state will not limit the rights hereby vested in the authority until the obligations of the authority with respect to such bonds are fully met and discharged or adequate provision therefor is duly made by law. The authority as agent for the state is authorized to include this pledge and agreement by the state in all agreements with the holders of such bonds.

II. On June 30, 1992, the board shall submit a report to the governor and council certifying whether or not the criteria under paragraph III have been met.

III. The board shall determine whether or not the authority:

- (a) Owns or operates any utility properties.
- (b) Sells at wholesale or retail any electricity.
- (c) Has outstanding any bonds issued pursuant to the provisions of this chapter.

IV. If the board certifies under paragraph II that:

(a) Any of the criteria under paragraph III has been met, the authority shall continue in existence.

(b) None of the criteria under paragraph III has been met, RSA 362-B shall be deemed repealed.

Amendment adopted.

Senator Dupont moved to lay SB 205-FN-A on the table.

Adopted.

Senator Preston and Senator Krasker wished to be recorded in opposition to the main motion and the tabling.

INTRODUCTION OF SENATE RESOLUTION

Senator Dupont offered SR 2, requesting an opinion of the justices concerning the constitutionality of SB 205-FN-A.

SENATOR DUPONT: As we spoke earlier on SB 205, there are some major issues of concern to us as to the constitutionality of this piece of legislation. For that reason, you have in front of you SR 2, which lays out specific areas of concern for the Supreme Court to issue an opinion on. At that subsequent time when it comes back to the body, further action will be taken on SB 205.

Resolution adopted.

COMMITTEE REPORTS

SB 30-FN, establishing a committee to study all aspects of the effect on consumers of emerging changes in the financial services industries. Ought to Pass. Senator Dupont for the Committee.

SENATOR DUPONT: You have before you SB 30-FN, which I sponsored with my counterpart in the House, Rep. Fraser. Rep. Fraser and myself, in various discussions about the whole financial services industries, felt that it would be appropriate at this point in time to take a look at the industry as a whole. We're all aware of the changes that have been taking place, not only in the banking community, but the investment community and the insurance community as it relates to delivery of services to the consumer. We felt that at this point in time it would be appropriate to do an overview and to provide the legislature with some tools with which to deal with these issues in the future.

Adopted. Ordered to Third Reading.

SB 6, extending the statute of limitation for certain fish and game offenses. Ought to Pass with Amendment. Senator Bond for the Committee.

AMENDMENT TO SB 6

Amend section 2 of the bill by replacing it with the following:

2 Effective Date. This act shall take effect upon its passage.

SENATOR BOND: SB 6 addresses a problem which has been obvious lately. In the State of New Hampshire certain crimes involving the illegal taking of fur bearing animals has shown that there is insufficient time to prove the case. You remember recently seeing about some people who have been taking bear, some 300 bear in fact, and shipping the parts to New York for profit. Because of the statute of limitations, which is 90 days on several of those charges, it's im-

possible to prosecute the people involved. As a result, the intent of this bill is to extend the statute of limitations to three years, in order that proper prosecution can take place. If a sting operation is put in place it is almost impossible by the time the illegal taking of game and the marketing of game takes place to put together a complete case and prosecute. Therefore, it's requested by the Department of Fish and Game, with our concurrence, that that time be increased to three years.

SENATOR JOHNSON: This is a bill you should all be pleased to vote enthusiastically for. This is a bill that helps the hunters, those people who might be opposed to hunting and the conservationists. The only people who would oppose this are the people who are poaching illegally in New Hampshire.

Amendment adopted. Ordered to Third Reading.

SB 7, limiting the horsepower of motors on Christine Lake in the Town of Stark. Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This is basically a very straight forward bill on Christine Lake in the town of Stark. It basically reduces the horsepower to 9 and a half horsepower or less. It's in the effort of keeping the conservation and the preservation of the North Country and I recommend that the Senate follow the committee report of ought to pass.

Adopted. Ordered to Third Reading.

SB 18, relative to forest and brush fires. Ought to Pass with Amendment. Senator Bond for the Committee.

AMENDMENT TO SB 18

Amend the title of the bill by replacing it with the following:

AN ACT

relative to forest and brush fires and enforcement powers
of the division of forests and lands.

Amend RSA 224:1-c as inserted by section 1 of the bill by replacing it with the following:

224:1-c Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and

desist order against any act in violation of this chapter, not specifically covered by other penalty provisions. Any such act may be enjoined by the superior court, upon application of the attorney general. The person committing the act shall be guilty of a violation.

Amend section 18 of the bill by replacing it with the following:

18 New Section; Enforcement. Amend RSA 79 by inserting after section 28 the following new section:

79:28-a Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and desist order against any act in violation of this chapter not specifically covered by other penalty provisions. Any such act may be enjoined by the superior court, upon application of the attorney general. The person committing the act shall be guilty of a violation.

19 New Section; Enforcement. Amend RSA 149 by inserting after section 19 the following new section:

149:19-a Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and desist order against any act in violation of this chapter not specifically covered by other penalty provisions. Any such act may be enjoined by the superior court, upon application of the attorney general. The person committing the act shall be guilty of a violation.

20 Enforcement. Amend RSA 483-A by inserting after section 5-b the following new section:

483-A:5-c Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and desist order against any act in violation of this chapter not specifically covered by other penalty provisions. Any such act may be enjoined by the superior court, upon application of the attorney general. The person committing the act shall be guilty of a violation.

21 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill makes various changes to the statutes on forest and brush fires. The term "district chief" is changed to "forest ranger". The term "mill waste" is changed to "mill residue". The term "horse-drawn vehicle" is also deleted. Under this bill, the director of the division of forests and lands may issue cease and desist orders for violations of RSA 224 when not covered by other penalties.

This bill also gives the director of the division of forests and lands, department of resources and economic development or his authorized agents authority to issue cease and desist orders under RSA 79, RSA 149, and RSA 483-A.

This bill was requested by the division of forests and lands, department of resources and economic development.

SENATOR BOND: This bill makes various changes in the statutes on forest and brush fires. The term district chief is changed to forest ranger. The term mill waste is changed to mill residue, since waste is now reused. Horse drawn vehicles have been deleted and in addition it gives the rangers, or the district chief, the authority to issue cease and desist orders enforcing other state statutes. As of right now, a district chief may find a violation which he is not in the position to enforce because of lack of statutory justification.

The amendment is found on page 8 and clarifies the language on the cease and desist orders.

Amendment adopted. Ordered to Third Reading.

SB 20, relative to the method of taking deer in the City of Dover. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill basically outlaws the use of anything other than the shotgun for taking of wild game in the city of Dover, requested by the well known duo of the Senate and House. Basically, the city of Dover has reached a point in its development where there is very little area where you can hunt without endangering citizens. It was felt by the city council that this bill ought to be introduced and we urge your acceptance of it.

Adopted. Ordered to Third Reading.

SB 27, relative to the liability of landowners for pollutant clean-up. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill basically codifies what is all ready in federal law. All it says is, if you own a piece of property and hazardous waste is discovered on that property and you, as the landholder, did not in any way cause or contribute to the pollution problem, and you recorded the existence of the problem within a reasonable period of time to the authorities and you can prove that you had no knowledge of, nor could you obtain any knowledge of the pollution problem, that you will not be held liable for the clean-up.

I think this is a perfectly reasonable standard to accept in New Hampshire. It's been my observation that many New Hampshire

landholders and attorneys are not aware of the fact that they really are covered by the federal statutes. I checked this out with the attorney general's office relative to whether or not it would affect any on going operations for hazardous waste clean-up that the state might be involved with and he advised me, the assistant attorney general for environmental affairs advised, that upon examination of it he couldn't see any problems. If there do turn out to be problems at any time during the next few months upon further examination, I'll be prepared to address that issue before the House. But, at this point, the bill seems to be workable and fair.

Adopted. Ordered to Third Reading.

SB 39, establishing a speed limit for power boats on Spofford Lake. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: Very simply, this bill limits the speed of power boats on Spofford Lake to 40 miles an hour during daylight hours and 20 miles per hour during night hours. It is on the advice of the Senator from District 10 that this is a necessity in light of the abuse of power craft on Spofford Lake.

Adopted. Ordered to Third Reading.

SB 47, authorizing a day for fishing without a license. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This is my best bill! You had wildflowers last time and you've got this this time. I was asked by the Fish and Game Department to put it in. It's done in 27 other states during national fishing week in June. They have a free fishing day when anyone can go fishing on New Hampshire's lakes; complying to the laws of how many they can catch and whether they use flies or not. But there will be a day when all of us can go fishing.

Adopted. Ordered to Third Reading.

SB 60, relating to recording dock permits. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill requires the dock and marina permits and certain wetlands permits be recorded with the registry of deeds. This bill was requested by the Division of Water Resources. Its reason is that as land is subdivided into smaller parcels, it's becoming a problem with someone acquiring a piece of property with water frontage and finding out after they've acquired it that there is

not sufficient land within the original permit issued for that land to have another dock. So, in order to protect the buyer from buying a piece of property which he will not be permitted for, because of previous rulings by the department, it is recommended that we pass this so that the permit will be recorded in the registry of deeds and the limit on the title to that property will be a matter of public record.

Adopted. Ordered to Third Reading.

SB 83-FN-A, making an appropriation to support the conservation corps. Ought to Pass with Amendment. Senator Bond for the Committee.

AMENDMENT TO SB 83-FN-A

Amend section 1 of the bill by replacing it with the following:

1 Appropriation. The sum of \$50,000 is hereby appropriated to the department of resources and economic development, division of parks and recreation, for the biennium ending June 30, 1991, for the purpose of funding the conservation corps established pursuant to RSA 216-A:7. This appropriation shall be in addition to any other for the department of resources and economic development for the biennium. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

SENATOR BOND: SB 83-A does make an appropriation to fund the conservation corps. The conservation corps is presently supported by private funds, is doing an excellent job in building trails, including meeting the objective of the Department of Parks to develop a trail from the southern boundary to the Canadian border. This would be \$100,000 from the general fund for the biennium and it would be through the Department of Resources and Economic Development.

Amendment adopted. Referred to Finance (Rule #24)

SB 131-FN-A, establishing a New Hampshire Film and Television bureau and making an appropriation therefor. Inexpedient to Legislate. Senator Bass for the Committee.

SENATOR BASS: It was the feeling of the committee, although the intent of the bill is good and the potential exists for bringing in business to the State of New Hampshire in the film and television area, it was felt by the committee that this matter could be more appropri-

ately handled by the Department of Resources and Economic Development office of vacation travelers or regular PAU and put it in as part of their overall budget so there would be some cohesiveness of what their overall plan was for the fiscal year.

Adopted.

SB 161, authorizing regional agreement for water resources management and protection plans. Ought to Pass with Amendment. Senator McLane for the Committee.

AMENDMENT TO SB 161

Amend RSA 4-C:23 as inserted by section 1 of the bill by replacing it with the following:

4-C:23 Regional Water Resources Management and Protection Plans. Municipalities are hereby authorized and encouraged to enter into agreements with other municipalities for the purpose of developing and implementing regional water plans and ordinances to enhance the effectiveness of their local water plans where water protection needs extend beyond municipal boundaries. Appropriate action of the municipalities by ordinance, resolution or other action shall be necessary before any such agreement may enter into force, and the agreement shall be adopted pursuant to RSA 53-A. The terms of such agreement shall not be inconsistent with the criteria established for local water plans pursuant to RSA 4-C:22. Municipalities are encouraged to seek the assistance of their regional planning commission or council in the development and implementation of their regional water plan, and shall coordinate these plans with the regional water resource planning efforts of their commission or council.

AMENDED ANALYSIS

This bill authorizes agreements between municipalities for the development of regional water resources management and protection plans and ordinances when water protection needs extend beyond municipal boundaries. The regional planning commission is authorized to assist in the development and implementation of the regional plans.

This bill is a request of the governor.

SENATOR MCLANE: This bill allows communities who have a water plan either for surface water or for underground water to form into regional compacts with other communities that also have this

water in common. It provides them with a mechanism under which they can go into a regional agreement in the same way that we passed SB 53-A in the last session to deal with regional trash compacts.

Amendment adopted. Ordered to Third Reading.

SB 21-FN, establishing authority for revolving funds for publications and training in the office of state planning. Ought to Pass with Amendment. Senator Freese for the Committee.

AMENDMENT TO SB 21-FN

Amend subparagraph I(b) of section 1 of the bill by replacing it with the following:

(b) The amount in the publications revolving fund shall not exceed \$20,000 and any amounts in excess of \$20,000 shall be deposited in the general fund as unrestricted revenue.

Amend subparagraph II(b) of section 1 of the bill by replacing it with the following:

(b) The amount in the municipal and regional training fund shall not exceed \$20,000 and any amounts in excess of \$20,000 shall be deposited in the general fund as unrestricted revenue.

SENATOR FREESE: This legislation came out of the State of Office Planning. The funds are not to exceed \$20,000 and the legislation provides that any excess money go to the general fund as unrestricted revenue.. A reasonable charge shall be established for each copy of a document. The charge shall reflect the entire cost of producing such document and shall also reflect the cost of providing three copies of such document to legislative committees; legislators who request the publications; local elected, and appointed officials whose duties include the subject matter of the particular publication and regional agency officials whose duties include the subject matter of the particular publication. Charges will also be established for providing training for local regional officials. The training and publication income will be structured so that there will be no cost to the state.

You will find the amendment on page 9 of today's calendar. The Executive Departments committee recommends ought to pass with amendment.

Amendment adopted. Ordered to Third Reading.

SB 26, relative to subpoena powers of arbitrators in labor arbitration. Inexpedient to Legislate. Senator Freese for the Committee.

SENATOR FREESE: This bill was sponsored by Senator Bond. As sponsor, he came to the committee after consultation with the parties and requested that the committee report it out as inexpedient to legislate.

Adopted.

SB 53-FN, relative to assessing time share interests. Ought to Pass. Senator Disnard for the Committee.

SENATOR DISNARD: This is a fairness type bill. I hope you understand what I'm saying. It appears that one city in the state has been assessing time share units in a condominium, a tax income based of the condominium units. It appears that on two occasions the court in that area fined and found wrongfully taxed to the amount of \$200 - \$300,000 by the city of Laconia on this premise and they had to return the money. I'd like to relate this to a candy store. Property is taxed on the value of the property. You and I own a candy store and we are receiving income from the store because we increase our sales and have a better product. Then the increased value that we have in the business is taxed by the business profits tax, not the property tax. There was a conflict on how the property was being assessed. The committee voted unanimously to approve this bill and that a condominium unit, time sharing, could not be based on the amount each unit brought in, rather the resale value of the building.

SENATOR ST. JEAN: I'm curious as to which town was that creative.

SENATOR DISNARD: Laconia.

Adopted. Ordered to Third Reading.

SB 55, relative to the children's trust fund for the prevention of child abuse and neglect. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: This bill makes it clear that the income from the trust fund for the prevention of child abuse and neglect will never accrue to the benefit of any person, firm or corporation except the child abuse trust fund board. In accordance with something I did two years ago, I give my biannual pledge of my 1989 Senate salary to Senator Podles and the children's trust fund.

CHAIR: There is no appropriation on SB 55.

SENATOR JOHNSON: Correct.

Adopted. Ordered to Third Reading.

SB 94-FN, authorizing the sale of liquor and beverages in additional areas under a liquor license. Ought to Pass with Amendment. Senator Delahunty for the Committee.

AMENDMENT TO SB 94-FN

Amend RSA 178:4-a, II as inserted by section 1 of the bill by replacing it with the following:

II. The commission may grant permission to any holder of a license **or permit** issued under RSA **178:3, 178:3-a, 178:3-c [or], 178:3-d, [RSA] 178:4 or 181:4** to extend the sale [and service] of beverages and liquor to an outside cafe style area where permitted by ordinance and with written approval of town or city officials.

Amend RSA 178:5-g as inserted by section 2 of the bill by replacing it with the following:

178:5-g Caterers. The commission may issue a special license to any caterer with on-site permanent kitchen facilities and permanent dining facilities capable of seating 200 persons or more. Such special license shall permit the licensee to serve liquor and beverages with or without meals to members of a private party in any room of said on-site catering facility designated by the commission. **Such special license may permit the licensee to serve liquor and beverages on the premises of other licensed establishments or on the premises of any public building approved by the commissioner.** Licenses shall be granted only to such caterers as the commission, at its discretion, shall approve and then only to such caterers as can show the commission on forms and under rules [prescribed] **adopted** by the commission that at least 50 percent of their combined food and liquor and beverage sales shall fall within the category of food. Said caterers shall notify the commission not less than 5 days in advance of a function specifying date and time when a function is scheduled. The commission may grant, regulate, suspend or revoke said special license without affecting any other license and permit which shall be granted to said [restaurant] **licensee**. The fee for such special license shall be \$787.50 per year.

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect upon its passage.

SENATOR DELAHUNTY: This bill authorizes the commission to issue special licenses to caterers with on-site facilities who serve beverages and liquor on the premises of licensed establishments or on the premises of public buildings approved by the commission. This bill was sponsored on behalf of a new multi-million dollar function facility located in Windham, New Hampshire. It was recommended by the inspectors and liquor commission and was approved by the special committee set up to review and update the laws regulating the sale of liquor and malt beverages throughout the state.

Amendment adopted.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: We, basically, this session had two bills that were identical in nature; SB 94 and I believe the other one was SB 124, I may be wrong with the number. I introduced one of them basically for the same reason that SB 94 was introduced because of specific problems that I had in the Rochester area. This amendment, as it's written, I can assure you does nothing other than allow the Rochester Fair to continue a practice that it has had for many years and that is to allow the sale of beer under the grandstands and allow people to go and sit in the grandstands while they drink their beer. This has been going on for years at the Rochester Fair, and this year because the liquor commission suddenly discovered they didn't have the necessary statute to allow them to do that they were not able to continue their tradition of having the ability to buy a beer at the fair while you watched the races. Rather than putting two pieces of legislation through the process we made a decision this morning to amend this bill to include that provision in SB 94, thereby negating the need for the other piece of legislation.

FLOOR AMENDMENT TO SB 94-FN

Amend RSA 178:4-a as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph:

III. The commission may grant permission to any holder of a permit issued under RSA 181:4-b to extend the sale of beverages to a defined bleacher or grandstand area.

Floor amendment adopted. Ordered to Third Reading.

SB 102-FN-A, relative to closed circuit televised boxing and wrestling matches. Inexpedient to Legislate. Senator Freese for the Committee.

SENATOR FREESE: This was an income bill that proposes a 5% tax on those receipts that pay admission to closed circuit televised boxing and wrestling matches. It's not enough to embarrass ourselves getting into the responsibilities we decided that it should be inexpedient to legislate and the same legislation is going to be starting in the House and coming back to us the right way. So, that just explains the change from what is listed on your calendar to inexpedient to legislate.

Adopted.

SB 129, requiring the department of corrections to notify the division of state police when certain prisoners are paroled. Inexpedient to Legislate. Senator Currier for the Committee.

SENATOR CURRIER: This bill is reported out inexpedient to legislate in that the parties involved have come to a resolution of the problem and we recommend inexpedient to legislate to give them time to see if the problem can, in fact, be worked out through their departmental maneuvers.

Adopted.

SB 168-FN, establish a division of fire service. Ought to Pass with Amendment. Senator Freese for the Committee.

SENATOR FREESE: This proposed legislation establishes a division of fire service similar to the police standards training. It will be situated within the Department of Safety, under the authority of the director of fire service. The bill sets up two sections. One, a bureau of fire safety supervised by the fire marshal. The other is the bureau of fire standards and training and shall be supervised by the chief of fire standards and training. The present fire standards and training council will be transferred to the Department of Safety, known as the fire standards commission.

The amendment appears on page 13 of today's calendar, at the bottom of the page. The fiscal note is not complete on this bill. I did call the legislative office and it's still not available. So, this, I would suppose, would go to Finance where that will be looked at and taken care of. The Executive Departments recommends ought to pass with amendment.

SENATOR BOND: Just briefly to say, over the last number of sessions, I have sponsored legislation to help the fire service find greater professionalism and I believe that this is the answer that will work and I urge your support.

AMENDMENT TO SB 168-FN

Amend the bill by replacing section 7 with the following:

7 Transfers; Amend RSA 21-P:15 by inserting after paragraph II the following new paragraph:

III. Any transfer involving the bureau of fire standards and training undertaken pursuant to this section shall require the concurrence of the fire standards and training commission.

8 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill establishes a division of fire service within the department of safety, under the authority of a director of fire service. The division shall consist of 2 bureaus. The bureau of fire safety shall be supervised by the state fire marshal. The bureau of fire standards and training shall be supervised by the chief of fire standards and training.

The fire standards and training commission is transferred to the department of safety under this bill.

The bill includes transition provisions for officials affected by the transfer, and establishes group II retirement eligibility for certain officials. Transfers from the bureau of fire standards and training must be approved by the fire standards and training commission.

Amendment adopted. Referred to Finance (Rule #24)

SB 5, permitting a corporation to limit the liability of its directors and officers in its articles of incorporation. Ought to Pass with Amendment. Senator Roberge for the Committee.

SENATOR ROBERGE: The committee voted unanimously to pass this bill with amendment. All the testimony at the hearing was favorable. The amendment simply makes the bill effective upon passage. This is the same bill that we passed last year. It was hung up in the House during the final days of the session. The bill would allow a New Hampshire corporation by vote of its shareholders to limit the liability of corporate officers and directors in certain situations. The bill does not relieve an officer or director from liability to anyone other than the corporation and the shareholders. The bill provides for exceptions and if the conduct of any of the officers or its directors falls within one of them; such as breach of duty, loyalty or bad faith, this bill would provide no protection.

AMENDMENT TO SB 5

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon passage.

Amendment adopted. Ordered to Third Reading.

SB 8, relative to workers' compensation of firemen. Ought to Pass. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: This bill was sponsored by Senator Bond and he brought to our attention that a couple of sessions ago the requirement that the volunteer firemen be a member of the state firemen's association was written into the statutes. Senator Bond or no member of the committee could find out why this was done. It creates quite a hardship on the smaller departments because of the five dollar fee and there was no opposition of the bill; everyone spoke for it. The committee votes ought to pass.

Adopted. Ordered to Third Reading.

Senator Currier wished to be recorded as opposed.

SB 63-FN, relative to enforcement of child medical support. Ought to Pass with Amendment. Senator Roberge for the Committee.

SENATOR ROBERGE: The purpose of SB 63 is to comply with federal regulations requiring the division of human services to obtain and afford medical support for children in all cases administered by the office of child support. Additionally, the bill authorizes the release of otherwise confidential information to the office of medical services to assist them in recouping medicaid dollars spent when insurance policies were in existence.

AMENDMENT TO SB 63-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Medical Support Enforcement. Amend RSA 161-C by inserting after section 161-C:3-a the following new section:

161-C:3-b Medical Support Enforcement.

I. With respect to orders for medical support for which there is an assignment pursuant to RSA 167:14-a, the office of child support enforcement services, division of human services, shall obtain health insurance coverage information regarding medical assistant recipients and applicants for medical assistance and provide this information to the office of medical services, division of human services, for third party liability purposes.

II. In all child support cases administered by the office of child support enforcement services, when the responsible parent obtains health insurance coverage for a dependent child, the responsible parent shall provide sufficient health insurance policy information which would permit a claim to be filed or, in the case of a health maintenance or preferred provider organization, service to be provided, to the office of child support enforcement services, division of human services.

III. The division of human services upon receipt of the health insurance policy information is authorized to request and receive notice from the responsible parent's insurance company or employers or both, when such health insurance policy has been discontinued. The insurance company or employer, or both, shall furnish the requested information within 15 days.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill authorizes the division of human services, department of health and human services, to enforce orders for medical support of children by obtaining basic health insurance coverage information concerning medical assistance recipients and applicants for medical assistance who are subject to such child support orders for the purpose of establishing third party liability.

The bill was requested by the division of human services, department of health and human services.

Amendment adopted. Ordered to Third Reading.

SB 91-FN, providing a 20 percent cost of living adjustment for teachers retired prior to July, 1957. Ought to Pass. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: There will be an amendment to this bill; Senator Dupont has it; legislative services has a little glitch in it and we're going to straighten it out here in a couple of minutes.

Every legislative session we have compiled a bill to give a retirement benefit increase to those teachers who retired prior to 1957. They didn't have any social security in those days for those people, so these are those people who retired before 1957. These retired teachers are all very elderly and they taught New Hampshire school children when salaries were very low and consequently have low retirement benefits. All the previous cost of living adjustments included, their average retirement benefit is \$4,062 per year. As I re-

member, Senator McLane, there was one lady that came in who taught for many years, 30-40 years, in the system and her retirement was \$19 a month when we found her. We asked her how she lived and she said she lived with her sister. So, we over the last few years, all of us in the Senate here have gotten together to bring this cost of living up for them. When we prepared the bill in the last session of the legislature, I think there were 17 surviving retirees in this group. Unfortunately, there are only about nine left and I think they all average between 98 and 103 years of age. So, everyone asks me how come I'm such a big spender and giving them a 20% pay raise; well, it only means around \$812 a year of additional benefits to these wonderful people and, of course, it will only cost about \$7300. In the years past, the money, of course, came from the state's general fund and in the wisdom of the Senate we created a special account in the retirement system and there is now a nongeneral source of funding and we recommend this bill. The bill originally recommended that we give them an increase every month and I would agree with that, to tell you the truth, because after all we started out at \$19 and now we'll probably give them a couple, three hundred dollars. I guess we'll amended it to include over the year and do it that way.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: As Senator Blaisdell indicated, the bill as originally drafted would have provided for a 20% increase every month. The floor amendment just makes it clear that they're going to get one 20% increase. I'm just starting to think Senator Blaisdell, maybe we should have left the 20% every month alone!

FLOOR AMENDMENT TO SB 91-FN

Amend RSA 192:34, I as inserted by section 1 of the bill by replacing it with the following:

I. Any teacher beneficiary who retired prior to July 1, 1957, and who is in receipt of a retirement allowance on July 1, 1989, including any teacher retired under the teacher's retirement system as established by RSA 136, shall, on July 1, 1989 have his allowance increased by 20 percent. Nothing in this section shall adversely affect the regular retirement allowance of any beneficiary, and this additional allowance shall become a permanent part of each beneficiary's base retirement allowance.

Floor amendment adopted. Ordered to Third Reading.

SB 122-FN, relative to member retirement deductions for certain group II members. Ought to Pass. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: This bill provides that if a group II member of the New Hampshire retirement system has 40 or more years of creditable service, the retirement system will stop taking payroll deductions from the member for annuity purposes.

Adopted. Ordered to Third Reading.

SB 10, repealing a chapter on floating timber and damage therefrom. Ought to Pass. Senator Stephen for the Committee.

SENATOR STEPHEN: This is simply a housekeeping bill that was requested by the Commission of Water and Resources. It prohibits floating of timber.

Adopted. Ordered to Third Reading.

SB 12, relative to the Uniform Gifts to Minors Law. Ought to Pass. Senator Roberge for the Committee.

SENATOR ROBERGE: This bill was requested by the Judicial Council. Section 20 was missing when the bill was printed and it was the intent to include it. It is a way to end custodianships.

Adopted. Ordered to Third Reading.

SB 45-FN, relative to child support enforcement. Ought to Pass with Amendment. Senator Roberge for the Committee.

SENATOR ROBERGE: SB 45 was requested by the division of human services and deals primarily with visitation hearing process used by the division. The proposed amendment, like the federal requirements, states that the administration hearing process is less. The division hopes to avoid financial sanction for failure to comply with existing federal regulation as well as participating in an increase in the percentage of collections. After we take the vote, ought to pass hopefully as amended, I will be asking for you to table this particular piece of legislation. There is a question on the constitutionality and we will send this message to the Supreme Court.

AMENDMENT TO SB 45-FN

Amend RSA 161-B:6, IV as inserted by section 2 of the bill by replacing it with the following:

IV. Any obligor **or obligee** who does not comply with the requirements of this section due to **a willful** failure to submit required information or by submitting false information shall be guilty of a misdemeanor.

Amend section 161-C:3-b as inserted by section 4 of the bill by replacing it with the following:

161-C:3-b Power to Subpoena Financial Records. Pursuant to the division's responsibilities under this chapter, the director, division of human services, or his designee shall have the power to subpoena financial records which the division of human services is authorized to obtain pursuant to provisions of applicable law.

Amend RSA 161-C:22, I as inserted by section 7 of the bill by replacing it with the following:

I. The receipt of public assistance for a child shall constitute an assignment by the recipient to the division of any and all rights, title, and interest in and to support obligation owed to or **for the recipient or, the child or children, or both the recipient and any child or children,** up to the amount of public assistance money paid for or on behalf of such child or such children, including any support unpaid at the time of assignment as long as public assistance is paid.

Amend the bill by replacing all after section 7 with the following:

8 Time of Appeal; Review of Record. Amend RSA 161-C:27 to read as follows:

161-C:27 Judicial Review. Any person who is aggrieved by any action of the director relative to the administrative process under this chapter may appeal to the superior court **within 30 days of the receipt of the decision of a hearings officer. Such appeal shall be restricted to a review of the record. Upon review of the record, the court in its discretion may request the submission of additional evidence and order a hearing on the additional evidence.**

9 New Paragraph; Previously Dismissed Paternity Action may be Commenced. Amend RSA 168-A:12 to read as follows:

168-A:12 Statute of Limitations.

I. No proceeding under this chapter shall be maintained unless commenced within 18 years of the date of birth of the child in question.

II. **A proceeding under this chapter may be commenced even though a paternity action was previously filed and dismissed, if such dismissal was based on a statute of limitations of less than 18 years.**

10 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill makes changes in the laws relative to child support enforcement, including authorizing the division of human services, department of health and human services, to exercise subpoena power to obtain parental financial records, clarifying rights of appeal from administrative orders, and requiring the assignment of any support obligation to the division upon application for assistance. The bill allows the commencement of a paternity action which was previously dismissed if the dismissal was based on noncompliance with a statute of limitation of less than 18 years.

The bill was requested by the division of human services, department of health and human services.

Amendment adopted.

Senator Roberge moved to lay SB 45-FN on the table.

Adopted.

INTRODUCTION OF SENATE RESOLUTION

Senator Roberge offered SR 3, requesting an opinion of the justices concerning the constitutionality of SB 45-FN.

Resolution adopted.

COMMITTEE REPORTS

SB 46-FN, relative to wage withholding for child support. Ought to Pass with Amendment. Senator Roberge for the Committee.

SENATOR ROBERGE: SB 46, pursuant to this amendment, income withholding will be automatic and immediate in all cases being enforced by the office of child support, whether or not a client is a recipient of AFDC. All other cases will continue to be subject to the 30 day arrearages. Most importantly, the family support act of 1988 mandates that by 1990 the state have laws and procedures in place to effectuate immediate wage withholding in all cases administered by the office of child support.

AMENDMENT TO SB 46-FN

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Division Not Bound To Provisions Waiving Past Arrearages Of Certain Child Support. Amend RSA 458:17 by inserting after paragraph X the following new paragraph:

XI. For any orders enforced by the division of human services pursuant to RSA 161-C, the division shall not be bound to the provisions of any stipulation or decree waiving past arrearages when an assignment pursuant to RSA 161-C:22 is in effect or was in effect at the time the arrearages accrued.

Amend the bill by deleting all after section 4 and replacing it with the following:

5 Applicability; Immediate Wage Withholding and Exceptions. Section 3 of this act, relative to immediate wage withholding and exceptions to such withholding, shall apply to all support orders enforced and administered by the division of human services which are initiated or modified on or after the effective date of this act.

6 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill makes changes in the laws relative to mandatory wage withholding for child support, including establishing immediate wage withholding.

Amendment adopted. Ordered to Third Reading.

SB 54-FN, conditionally extending the date for raising of funds by the trust fund for prevention of child abuse and neglect. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 54 extends the date of an existing appropriation to the children's trust fund from June 30, 1989 to December 31, 1989. The trustees of the board have been making progress. It has been slower than we envisioned and this extension is requested strictly on a contingency basis. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 167, relative to limiting actions against developers. Inexpedient to Legislate. Senator Podles for the Committee.

SENATOR PODLES: SB 167 was withdrawn by the sponsor and we urge your support to inexpedient to legislate.

Adopted.

SB 13, relative to the definition of legislative and governing bodies of municipalities. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: I'd like you to turn to page 8 of the calendar for a description of the amendment. The amendment basically replaces the whole text of the bill. This simply clears up what is an ambiguity in town counsel's interpretation of what, in a given statute, is defined as a governing body in the town or city versus the legislative body. All this bill does is say that the legislative body is going to mean town meetings, school district meetings, village district meetings, city or town council, mayor and council, or mayor and board of aldermen. Whereas governing body is going to mean the board of selectmen of a town to vote for, the alderman or council of a city or town with a town council, a school board in a school district, the village district commissioners in a village district. It's a simple clarification of two definitions.

AMENDMENT TO SB 13

Amend the bill by replacing section 1 with the following:

1 New Sections; Definitions. Amend RSA 21 by inserting after section 46 the following new sections:

21:47 Legislative Body. When used to refer to a municipality, and in the absence of applicable chapter or subdivision definitions, the term "legislative body" shall mean a town meeting, school district meeting, village district meeting, city or town council, mayor and council, or mayor and board of aldermen.

21:48 Governing Body. When used to refer to a municipality, and in the absence of applicable chapter or subdivision definitions, the term "governing body" shall mean the board of selectmen in a town, the board of aldermen or council in a city or town with a town council, the school board in a school district, or the village district commissioners in a village district.

AMENDED ANALYSIS

This bill defines a legislative body as a town meeting, school district meeting, village district meeting, city or town council, mayor and council, or mayor and board of aldermen. The bill defines governing body as a board of selectmen in a town, board of aldermen or council in a city or town with a town council, school board in a school district or the village district commissioners in a village district. These definitions will be applicable throughout the RSA's unless the terms are otherwise defined within a chapter or subdivision.

Amendment adopted. Ordered to Third Reading.

SB 51, relative to the Christa McAuliffe Planetarium. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: As many of you may have noticed if you've driven slightly north of the city, over by the tech building, the Christa McAuliffe Planetarium is well underway. With breaks in the weather they have advanced even more rapidly than we had hoped. They have now got all the cement foundation work in and are proceeding at a good pace. We need to establish the directorship, that's the first person who will come on line in personnel, and this establishes that position and I would urge you to adopt this bill.

Adopted. Ordered to Third Reading.

SB 117, reinstating the charter of the Coronet Agency, Inc. Inexpedient to Legislate. Senator King for the Committee.

SENATOR KING: The purpose of this bill is no longer necessary so it was withdrawn and we ask that you vote it inexpedient to legislate.

Adopted.

SB 119, relative to the central polling place for Ward 2 voters in the city of Portsmouth. Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: This bill makes Portsmouth Junior High School the central polling place for all Ward 2 voters in all state and city elections held only during 1989 and 1990. It's necessary because the current polling place is not accessible to the handicapped.

The amendment is on page 12 and includes the new boundaries of the ward lines and the referendum which will be put to the voters in November of 1989, asking that they approve the change. I urge that it be adopted.

AMENDMENT TO SB 119

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the boundaries of ward 2 in the city of Portsmouth.

Amend the bill by replacing section 2 with the following:

2 City of Portsmouth; Ward 20. Amend 1895, 183:1, as amended by 1947, 390:1, 1957, 412:1, 1971, 582:1; and 1983, 424:1, by striking out ward 2 in section 1 and replacing it with the following:

Ward 2 shall contain all that part of the city including the Margeson Housing for the Elderly, included within the following boundaries:

Beginning at a point on the Maplewood Avenue Bridge at the northeast end of North Mill pond; thence southerly along Maplewood Avenue to the intersection of Maplewood Avenue and Middle Street; thence southwesterly along Middle Street to the intersection of Middle Street and Court Street and continuing northeasterly 240 feet more or less to a point located on Rogers Street, thence turning and running southeasterly along Rogers Street 170 feet more or less to a point located on Parrott Avenue, thence turning and running southwesterly 580 feet more or less to a point, thence continuing in a southwesterly direction along Parrott Avenue 198 feet more or less to a point; thence turning and running westerly along Parrott Avenue 151 feet more or less to a point at the intersection of Parrott Avenue and Richards Avenue; thence turning and running northwesterly along Richards Avenue 320.7 feet more or less to a point; thence turning and running westerly 82.77 feet more or less to a point, thence turning and running southerly 61.4 feet more or less to a point; thence turning and running westerly 72.7 feet more or less to a point; thence turning and running southerly 126.55 feet more or less to a point; thence turning and running westerly 81.7 feet more or less to a point; thence turning and running southwesterly 127 feet more or less to a point on Miller Avenue; thence turning and running northwesterly along Miller Avenue 236 feet more or less to the intersection of Miller Avenue and Middle Street; thence turning and running northeasterly along Middle Street 121.5 feet more or less to a point; thence turning and running northerly along Middle Street 233.4 feet more or less to a point; thence turning and running southeasterly 74.3 feet more or less to a point; thence turning and running northerly 20.9 feet more or less to a point; thence turning and running easterly 62 feet more or less to a point along Richards Avenue; thence turning and running southerly along Richards Avenue 175.8 feet more or less to a point at the intersection of Lot 13 and Lot 16 as shown on the 1985 Portsmouth Tax Map U-36; thence moving to a point on Miller Avenue on the southwesterly corner of what is shown as Lot 17 on the 1985 Portsmouth Tax Map U-36 which is also the junction of Lot 17, Map U-36, and Lot 20, Map U-29; thence turning and running southerly on Miller Avenue; thence southeasterly along Miller Avenue to the intersection of Miller Avenue and South Street; thence westerly along South Street to the intersection of South Street and Middle Road; thence westerly along Middle Road to the

overpass at U.S. Route 1 Bypass; thence northerly along the Route 1 Bypass to the intersection of U.S. Route 1 Bypass and Cottage Street; thence easterly along Cottage Street to the intersection of Cottage Street and Woodbury Avenue; thence southeasterly along Woodbury Avenue to the intersection of Woodbury Avenue and Bartlett Street; thence southerly along Bartlett Street to the point where so-call Hodgson Brook crosses under Bartlett Street to flow into the North Mill Pond; thence northeasterly along the center of the North Mill Pond to the point of beginning.

3 Map. An official map showing the boundaries of the wards of the city of Portsmouth shall be filed in the office of the Portsmouth city clerk and the office of the secretary of state.

4 Interim Provisions. Notwithstanding the provisions of the charter of the city of Portsmouth relative to residential qualifications for ward office, the term of office for elected ward officers for said city in office when this act takes effect shall not be affected by the provisions of this act and said officials shall continue in office until their successors are elected and qualified.

5 Referendum. Sections 2, 3, and 4 of this act shall not take effect unless adopted by majority vote at the city election to be held in the city of Portsmouth in November, 1989, as hereinafter provided. The city clerk then in office shall cause to be placed on the ballot the following question: "Do you approve the provisions of sections 2, 3, and 4 of 'an act entitled an act relative to the boundaries of ward 2, in the city of Portsmouth' passed at the 1989 session of the general court, which would redraw the boundaries for ward 2?" Said question shall be printed in the form prescribed by RSA 656:13. If the majority of those voting on the question vote in the affirmative, this act shall be declared to have been adopted effective January 1, 1990. The city clerk shall, within 10 days after said election, certify that result of the vote on the above question to the secretary of state.

6 Effect of Changes. The changes in ward 2 boundary lines established by this act shall not affect constituencies or terms of office of representatives presently in office. If adopted by referendum, the ward 2 boundary lines established by this act shall be in effect for the purposes of electing representatives to the general court at the 1990 state general election. If there shall be a vacancy in the state representative district for ward 2 for any reason prior to the 1990 state general election, the vacancy shall be filled by and from the same representative district for ward 2 that existed for the 1988 state general election. No provision of this act shall affect in any manner any of the proceedings of the membership of the house of representatives of the general court assembled for a biennial session in January, 1989.

7 Effective Date.

I. Sections 2, 3, and 4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes the Portsmouth Junior High School the central polling place for ward 2 voters in all state and city elections held during 1989 and 1990. The bill also redraws the boundaries of ward 2 to include the Portsmouth Junior High School in that ward, subject to the approval of the voters at the November, 1989 city election.

Amendment adopted. Ordered to Third Reading.

SB 137-FN, relative to the language, phrasing, and explanation of ballot questions. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: In the past, no matter how well intentioned the drafters were in drafting ballot questions, the results have often been confusing to the public. The sponsors of this bill believe that we could improve upon that situation by establishing a committee that would take a look at the language being considered, hopefully look at it from an objective point of view, hopefully look at it from the public's point of view, recognizing the reading ability of the general public and come up with something that the public can indeed understand and vote intelligently upon. The secretary of state and the sponsors agree that this is a step that may indeed improve the process.

Adopted. Ordered to Third Reading.

SB 15-FN, relative to New Hampshire Hospital reimbursement for certain observations. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill was at the request of the division of mental health and developmental services. There has been some question on the part of some persons committed to the State Hospital for observations as to what point they began to be obligated for the cost of services rendered to them. As a result, this bill would say that any person transferred to the New Hampshire Hospital for observations as to sanity under court order shall be at state expense for the observation period only.

Adopted. Ordered to Third Reading.

SB 35-FN, relative to testing for AIDS when necessary to protect the health of law enforcement officer. Inexpedient to Legislate. Senator Krasker for the Committee.

SENATOR KRASKER: SB 35 was introduced to protect the health of a law enforcement officer, potentially exposed to AIDS or other infectious diseases. The committee is sympathetic to the concern of police and others in occupations that put them at risk of infectious disease exposure. But, we believe that the purpose of this bill, sponsored by Senator Preston, will be better served by another bill that he's sponsoring before our committee, SB 87. Therefore, the committee recommends that SB 35 be inexpedient to legislate and that the issue be addressed by the more inclusive SB 87.

Adopted.

SB 176-FN-A, extending the pilot program for child care provider recruitment and training and making an appropriation therefor. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: SB 176 extends the pilot program for child care provider recruitment and training and makes an appropriation for this program. The program was developed last year in order to address a severe shortage in the number and quality of child care providers in New Hampshire. It has been a great success. As a result of the pilot program, 300 more licensing applications were received by public health in 1989. The result of this may be as many as 1800 new child care spaces available in the state. The program has been a success. The division of human services wants to continue this program for two more years. The appropriation is \$100,000 for each year of the next biennium and moves that it be approved.

Adopted. Referred to Finance (Rule #24).

SB 14, relative to alcohol concentration tests for driving while intoxicated and other offenses. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: The need for this bill was highlighted by the 1988 passage of the bill providing for the replacement of the aging breath analyzer machines now in the field. The existing legislation pertaining to DWI refers primarily to blood alcohol content. However, the primary machine being used today measures breath alcohol content and thus there is a need to convert a breath alcohol reading into a blood alcohol reading in order to determine if the statutes have been violated. If a urine sample was taken that reading would

also have to be converted. This requirement for conversion has presented some legal problems. A lawyer would say that my client has been charged with having a certain blood alcohol content but no blood test was taken. So, this bill establishes a definition of alcohol concentration and the level of impairment can be readily determine regardless of which substance, blood, breath or urine, is being tested. This bill changes all the existing statutes that refer to blood alcohol content and now calls this alcohol concentration. It speaks to driving cars, boats, OHRV's and while hunting. This bill has the support of the Attorney General, the Department of Safety, the Division of Public Health and the Police Standards and Training Commission.

AMENDMENT TO SB 14

Amend RSA 259:3-a as inserted by section 1 of the bill by replacing it with the following:

259:3-a Alcohol Concentration. "Alcohol concentration" shall mean either grams of alcohol per 100 milliliters of blood, grams of alcohol per 67 milliliters of urine, or grams of alcohol per 210 liters of breath.

Amend the bill by replacing section 30 with the following:

30 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill adds a definition of "alcohol concentration" to the motor vehicle laws for the purpose of determining whether a person is guilty of driving while intoxicated. "Alcohol concentration" replaces the terminology of "blood alcohol".

As amended, alcohol concentration is defined as either grams of alcohol per 100 milliliters of blood, grams of alcohol per 67 milliliters of urine, or grams of alcohol per 210 liters of breath.

The bill changes the terminology to be consistent in various sections relating to hunting, OHRV, motor vehicle, and boating offenses.

Amendment adopted. Ordered to Third Reading.

SB 29, relative to nonabandonment of dedicated streets. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: This bill allows the governing body of a city or town to determine whether or not a dedicated lane, street, or alley should be released if it has not been accepted by the local legislative body, council, or board of selectmen, or used for over 20 years. In recent years, it has become a problem and this bill has been changed from shall to may.

Adopted. Ordered to Third Reading.

SB 34, nullifying the sunset termination of the port authority schedule for July 1, 1989. Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: Several years ago that department had a sunset deadline because it was felt that they needed to make a lot of improvements. They've made them and this eradicates that sunset deadline.

AMENDMENT TO SB 34

Amend the bill by replacing section 1 with the following:

1 Port Authority; Sunset Termination Date Ineffective. The sunset termination of the New Hampshire port authority scheduled to occur on July 1, 1989, as provided in 1987, 293:1, shall not occur and the New Hampshire port authority shall be considered to have been renewed.

Amendment adopted. Ordered to Third Reading.

SB 84, to require drivers on motorcycles and OHRV's to wear eye and face protection. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: This bill requires drivers of motorcycles and OHRV's that are not equipped with windshields or screen protectors when you're sitting erect. Some of the new motorcycles have very low windshields that are used when racing and in that case where your eyes were not protected you would have to wear protective shields or eye protection. Essentially, it addresses that type of vehicle.

AMENDMENT TO SB 84

Amend the title of the bill by replacing it with the following:

AN ACT

to require drivers on motorcycles to wear eye and face protection.

Amend the bill by replacing section 1 with the following:

1 Eye and Face Protection; Motorcycles. Amend RSA 265:123 to read as follows:

265:123 Eye and Face Protection. If a motorcycle is not equipped with a wind shield or screen **which protects the driver's eyes and face when the driver is sitting erect**, the driver [of said motorcycle when driving said vehicle] shall wear either eyeglasses, goggles, or a protective face shield **when driving the motorcycle while the motorcycle is in motion**.

Amend the bill by deleting section 2 and renumbering section 3 to read as section 2.

AMENDED ANALYSIS

This bill requires drivers of motorcycles which are not equipped with a wind shield or screen which protects the driver's eyes and face when sitting erect to wear eye protection or a protective face shield while the motorcycle is in motion.

Amendment adopted. Ordered to Third Reading.

SB 114, relative to speed limits on certain roads. Ought to Pass. Senator King for the Committee.

SENATOR KING: This bill merely gives the selectmen or the governing authority in a particular town the ability to lower the speed limit five additional miles lower than what current statutes allows if they determine that a road is in such a condition that it's unsafe to go with the statutory limit of 30 miles an hour.

Adopted. Ordered to Third Reading.

SB 118-FN, relative to private rights-of-way and Class VI highways. Ought to Pass. Senator King for the Committee.

SENATOR KING: This bill was requested by the municipal association. It allows selectmen to conditionally lay out a class V highway over what is an existing class VI highway and to access betterment fees if those people who live along the road agree to those conditions.

Adopted. Ordered to Third Reading.

SB 126, to require the wearing of motorcycle helmets. Inexpedient to Legislate. Senator Preston for the Committee.

SENATOR PRESTON: This bill is well intended. It was to require the wearing of motorcycle helmets unless the person could show adequate health insurance. The question was what was adequate health insurance, that would replace decals and windshields of motorcycles. The questions were; I could borrow this motorcycle with a decal on it; out-of-state motorcyclists coming into the state. It just created a much larger problem and muddled up the issue. There was a lot of testimony, there were a lot of people at the hearing, it was very clear to the members of the committee the feelings on this issue and we vote this bill to be inexpedient to legislate without further consideration.

SENATOR MCLANE: I thank you members of the committee who sat through that long hearing, but I did not want to let this opportunity go by. I know better than to make a motion at this time but I did want to read into the Senate record the facts that persuaded me to present this bill. The medical society was made aware of a study in the State of Washington which showed that injuries caused by motorcyclist, head injuries, was costing the State of Washington over five million dollars. That was in revenue lost by those who were no longer paying taxes. It was in cost to medicaid and medicare for those people who were permanently injured and it was in AFDC payments to their families when they were no longer able to support them. A motorcycle helmet has been proven to prevent many of the injuries that end up with a cost sometimes of a \$136,000 a year for someone permanently injured because of a motorcycle accident. But, it was obvious from the hearing that motorcyclists in this state want to live free or die. And I guess my end feeling looking at that assembled multitude in that room was ok and I hope you die instead of leaving the rest of us to pay for the bills for the next 20 years.

Adopted.

SB 9, to clarify how to designate highways to summer cottages. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: SB 9 addresses a special kind of classified highway which is not required to be maintained between December 10th and April 10th. In other words, all that is required is summer maintenance only. This bill says that a change in use, for example a

homeowner moving in year round, does not necessarily change the status of the road unless the selectmen at the town meeting vote to open that road year round.

AMENDMENT TO SB 9

Amend section 2 of the bill by replacing it with the following:

2 Keeping Open. RSA 231:81 is repealed and reenacted to read as follows:

231:81 Keeping Open Highways to Summer Cottages.

I. A highway which has been designated a highway to summer cottages may be opened, maintained and repaired the entire year:

(a) By the selectmen, upon petition, pursuant to the procedures of RSA 231-A:8-12; or

(b) By majority vote of the town.

II. The designation of a highway to summer cottages shall not be deemed altered by any change of use of land served by said highway, in the absence of action pursuant to paragraph I.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill clarifies how a highway may be designated a highway to summer cottages. The selectmen, upon petition, may designate the highway as a "highway to summer cottages" or a town, by majority vote, may designate an existing class V or class VI highway as a "highway to summer cottages".

Once so designated, a highway will retain such classification until the town shall vote to keep it open the entire year.

Once designated a highway to summer cottages, it may be opened, maintained and repaired the entire year by the selectmen, upon petition, or by a majority vote of the town.

The designation of a highway to a summer cottage shall not be deemed altered by any change of land use along the highway.

Amendment adopted. Ordered to Third Reading.

SB 171-FN, relative to revenue distribution. Ought to Pass. Senator Torr for the Committee.

SENATOR TORR: SB 171 requires agencies funded by sources other than the general fund to reimburse the treasurer immediately after payment has been made by the treasurer from the general fund on behalf of the agency.

SENATOR PODLES: Senator Torr, could you tell me if this is going to apply to the sweepstakes distribution?

SENATOR TORR: It certainly would. Any agency the state pays money out of the general fund would have to reimburse that to general fund immediately. The sweepstake is covered under that.

Adopted. Ordered to Third Reading.

SB 157-FN, relative to special license plates for solid waste haulers. Ought to Pass. Senator Bass for the Committee.

Senator Bond moved to lay SB 157-FN on the table.

Adopted.

RESOLUTION

Senator Torr moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of the bills ordered to third reading be read a third time by this resolution and that all titles be the same as adopted, and that they be passed at the present time; and that when we adjourn, we adjourn until Tuesday, February 7, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Third Reading and Final Passage

SB 30-FN, establishing a committee to study all aspects of the effect on consumers of emerging changes in the financial services industries.

SB 6, extending the statute of limitation for certain fish and game offenses.

SB 7, limiting the horsepower of motors on Christine Lake in the Town of Stark.

SB 18, relative to forest and brush fires and enforcement powers of the division of forests and lands.

SB 20, relative to the method of taking deer in the City of Dover.

SB 27, relative to the liability of landowners for pollutant clean-up.

SB 39, establishing a speed limit for power boats on Spofford Lake.

SB 47, authorizing a day for fishing without a license.

SB 60, relating to recording dock permits.

SB 161, authorizing regional agreement for water resources management and protection plans.

SB 21-FN, establishing authority for revolving funds for publications and training in the office of state planning.

SB 53-FN, relative to assessing time share interests.

SB 55, relative to the children's trust fund for the prevention of child abuse and neglect.

SB 94-FN, authorizing the sale of liquor and beverages in additional areas under a liquor license.

SB 5, permitting a corporation to limit the liability of its directors and officers in its articles of incorporation.

SB 8, relative to workers' compensation of firemen.

SB 63-FN, relative to enforcement of child medical support.

SB 91-FN, providing a 20 percent cost of living adjustment for teachers retired prior to July, 1957.

SB 122-FN, relative to member retirement deductions for certain group II members.

SB 10, repealing a chapter on floating timber and damage therefrom.

SB 12, relative to the Uniform Gifts to Minors Law.

SB 46-FN, relative to wage withholding for child support.

SB 54-FN, conditionally extending the date for raising of funds by the trust fund for prevention of child abuse and neglect.

SB 13, relative to the definition of legislative and governing bodies of municipalities.

SB 51, relative to the Christa McAuliffe Planetarium.

SB 119, relative to the boundaries of ward 2 in the city of Portsmouth.

SB 137-FN, relative to the language, phrasing, and explanation of ballot questions.

SB 15-FN, relative to New Hampshire Hospital reimbursement for certain observations.

SB 14, relative to alcohol concentration tests for driving while intoxicated and other offenses.

SB 29, relative to nonabandonment of dedicated streets.

SB 34, nullifying the sunset termination of the port authority schedule for 7/1/89.

SB 84, to require drivers on motorcycles to wear eye and face protection.

SB 114, relative to speed limits on certain roads.

SB 118-FN, relative to private rights-of-way and Class VI highways.

SB 9, to clarify how to designate highways to summer cottages.

SB 171-FN, relative to revenue distribution.

Senator Torr moved to adjourn.

Adopted

Adjournment

Tuesday, February 7, 1989

The Senate met at 1:00 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, it will be a hard thing to pass a "Paper Budget" - with zero money - anticipating money may be later on! May the upcoming Lenten Season energize our spiritual outlook and our clear understanding of what shall be placed before us!! Ever keeping in mind our constituents for what affects them - shall surely affect ourselves!! Bless us Lord.

Amen

Senator Magee led the Pledge of Allegiance.

Senator Nelson was excused for the day.

INTRODUCTION OF GUESTS

NOTICE OF RECONSIDERATION

Senator Bond served notice of reconsideration on SB 18, relative to forest and brush fires and enforcement powers of the division of forests and lands.

COMMITTEE REPORTS

SB 58-A, appropriating funds to reimburse the highway surplus account used for rehabilitation of the Cornish-Windsor bridge. Ought to Pass. Senator Torr for the Committee.

SENATOR TORR: SB 58 makes an appropriation to reimburse the highway surplus account for funds expended on the rehabilitation of the Cornish-Windsor bridge. We're dealing strictly with highway funds.

Adopted. Ordered to Third Reading.

SB 130-A, relative to developing an additional parking lot at the technical institute at Concord and making an appropriation therefor. Inexpedient to Legislate. Senator Torr for the Committee.

SENATOR TORR: SB 130 was inexpedient because of the fact that the committee felt that we could address this in the capital budget.

Adopted.

SB 151-A, making an appropriation for the completion of New Hampshire Route 101. Ought to Pass with Amendment. Senator Torr for the Committee.

SENATOR TORR: The amendment, which you will find on page 17 on SB 151-A, deals with the setting of the priority for the five projects dealing with Route 101. As you know, the projects on 101 have been held up by the environmental protection agency requesting an environmental impact study. All this does is preserve that money for that purpose, Route 101.

AMENDMENT TO SB 151-A

Amend the title of the bill by replacing it with the following:

AN ACT

directing the commissioner of the department of transportation to complete New Hampshire Route 101.

Amend the bill by replacing all after the enacting clause with the following:

1 Priority Construction.

I. The commissioner of the department of transportation shall give the highest possible priority to the primary system for construction of New Hampshire Route 101. Such projects shall include, but are not limited to:

- (a) Epping - Brentwood - Reconstruction and major widening.
- (b) Brentwood-Exeter - Reconstruction and major widening.
- (c) Exeter - Reconstruction of Routes 101 and 51 interchange.
- (d) Exeter - Stratham - Reconstruction and widening of Newfields interchange.

(e) Exeter - Hampton - Reconstruction from Route 101 east to Route I-95 along Route 51.

II. The commissioner of the department of transportation, excepting special legislative appropriations, shall use previously and subsequently apportioned federal funds and previously and subsequently appropriated state funds for the projects in paragraph I.

III. The commissioner of the department of transportation, shall take all necessary actions to ensure that the state of New Hampshire does not lapse or lose the federal funds.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This amendment removes the appropriation from the bill, but directs the commissioner of the department of transportation to give the highest priority to completing construction on New Hampshire

Route 101, utilizing previously and subsequently apportioned federal funds and previously and subsequently appropriated state funds for the project, excepting special legislative appropriations.

Amendment adopted. Ordered to Third Reading.

SB 152-FN-A, relative to a study of a portion of the Spaulding Turnpike and making an appropriation therefor. Ought to Pass with Amendment. Senator Torr for the Committee.

SENATOR TORR: SB 152 is a good bill! The amendment is found on page 18 and what the amendment does is it changes the appropriation from \$550,000 to \$630,000 and deals with the study of the rehabilitation of the General Sullivan Bridge.

AMENDMENT TO SB 152-FN-A

Amend section 1 of the bill by replacing it with the following:

1 Appropriation; Study. The sum of \$630,000 is hereby appropriated to the department of transportation for the biennium ending June 30, 1991, for an environmental study and the development of preliminary design plans for the section of the Spaulding Turnpike from the Dover toll plaza southerly to the future Gosling Road interchange in Newington and Portsmouth. This study shall include the redesign of exit 6, widening of the Little Bay bridge, provision for a full service interchange in Newington, rehabilitation of the General Sullivan bridge, and the potential of a one-way toll plaza in the city of Dover or the town of Newington. This appropriation shall be non-lapsing and is in addition to any other appropriation to the department of transportation for the biennium. The appropriation shall be a charge against the turnpike fund.

AMENDED ANALYSIS

This bill appropriates funds for the environmental study and preliminary design plans for a section of the Spaulding Turnpike. The study shall include the redesign of exit 6, the widening of the Little Bay bridge, provision for a full service interchange in Newington, rehabilitation of the General Sullivan bridge, and the potential of a one-way toll plaza in Dover or Newington.

This bill was requested by the department of transportation.

Amendment adopted. Ordered to Third Reading.

SB 181, making technical changes in certain laws relating to dams. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill refines the definition of class B dams which used to mean of medium potential hazard to significant potential hazard. It also eliminates the advisory board for the Division of Water Resources, which in fact has not existed for some time.

Adopted. Ordered to Third Reading.

SB 199, relative to the revocation or suspension of fish and game licenses. Ought to Pass with Amendment. Senator Freese for the Committee.

SENATOR FREESE: SB 199 as amended, you'll find on page 21, says that any person whose privilege it is to hunt, trap or guide and whose license has been revoked in any jurisdiction within the United States or Canada, shall be prohibited from purchasing a license for such activity in the State of New Hampshire, during the period of the revocations or suspension in the prosecuting jurisdiction. The purpose of this bill as amended is to stop the big time operators, across the United States and Canada, from coming in to New Hampshire to poach our wildlife and to sell and to ship it to other parts of the country. We are not talking about the sports hunter, someone who might lose his or her license for 30 days. We're talking about those who make a living at this very thing and have been caught breaching the law in other states and Canada and losing their license. At the present time, there is no way to control that here in New Hampshire without the legislation such as this bill that I'm speaking to today. When this legislation does become law, if such person has previously purchased a license, said license shall become invalid and shall be suspended for the same period as determined in the prosecuting jurisdiction. The committee recommends ought to pass with amendment.

AMENDMENT TO SB 199

Amend RSA 214:18-b as inserted by section 1 by replacing it with the following:

214:18-b Suspension or Revocation in Another Jurisdiction. Any person whose privilege to hunt, trap, or guide has been suspended or revoked in any jurisdiction within the United States or Canada shall be prohibited from purchasing a license for such activity in this state during the period of revocation or suspension in the prosecuting jurisdiction provided the offense for which the person has been convicted is contained in Title XVIII, RSA 208, 210 or 215. If such person has previously purchased a license for such activity, said license shall become invalid and shall be suspended for the same pe-

riod as determined in the prosecuting jurisdiction. Such person shall immediately return said license to the fish and game department. No person shall possess a license which has been suspended under this section. Any person who violates the provisions of this section shall be guilty of a violation.

Amendment adopted. Ordered to Third Reading.

SJR 1-FN, recognizing the importance of recycling. Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: There's no question that the paper that you have in front of you today is also sometime going to wind up in the waste stream. I think it's important in terms of the cost of avoidance measures that are now being taken between the Governor's office and other state agencies. This is a very important step announcing that we are, in fact, going to go through with our recycling efforts.

SENATOR HEATH: Senator Currier, did you just say that this just adds to the waste stream?

SENATOR CURRIER: You may be 100% correct, sir. You'll notice that my name is not on the sponsor list!

Adopted. Ordered to Third Reading.

SB 36-FN-A, relative to catastrophic costs and school building aid and making appropriations therefor. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: Members, you can find the amendment that the Education Committee proposed and adopted on page 8. This is the so-called Disnard amendment that takes the school building aid portion of this bill and makes the cut off date January 1st. The amended analysis refers to a committee amendment which addresses the pro rata distribution of catastrophic aid in the event of an appropriation short fall and demands. That is the position of this body and it has been the position of this body for the last many sessions of the legislature. Other than that, the bill contains the necessary supplemental appropriations for the state to meet its obligations to the local school districts, and catastrophic and school building aid between now and the biennium. Your approval of this amendment and passage of this bill will put the bill in the Committee of Finance's possession where it rightfully belongs until this body disposes of other Finance Committee vehicles, later in this day, which may address this same subject. Please vote for the amendment and the bill.

AMENDMENT TO SB 36-FN-A

Amend the bill by replacing all after section 4 with the following:

5 Application Deadline. Amend RSA 198:15-c to read as follows:

198:15-c Approval of Plans, Specifications and Costs of Construction [and/]or Purchase. A school district maintaining approved schools, desiring to avail itself of the grants herein provided shall have the plans, specifications, and cost estimates for school plant construction [and/]or proposals for the purchase of school buildings, **or both**, and the costs [thereof] **for them** approved by the state board prior to the start of construction. For this purpose the district shall submit its plans, specifications, cost and purchase estimates in writing to the state board on such forms as the board prescribes. **Application for school building aid shall be submitted before January 1 of each year in order to be eligible for school building aid in the fiscal year following the year of submittal.** The state board shall not approve the plans, specifications, cost or purchase estimates, if in the board's judgment the facilities planned will not adequately meet the educational requirements, or if its cost estimates are excessive or unreasonable. The state board shall not approve the plans, specifications, cost or purchase estimates if in the board's judgment the proposed construction or purchase is in conflict with effective state-wide planning. Necessary costs of the purchase of school buildings may be determined by any recognized method of real estate appraisal with appropriate adjustments for remodeling or other expenditures. Upon approval of the construction [and/]or purchase, **or both**, by the state board of education, the school district shall be entitled to receive an annual grant as provided herein.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill changes the law relative to distribution of state aid to school districts for the purpose of meeting catastrophic cost increases in their special education programs by requiring that the appropriation be distributed on a prorata basis. Under current law, catastrophic aid is distributed under an equalizing formula in order to determine what amounts are to be distributed to each district. The bill also makes supplemental appropriations to make up short-ages for school building aid and catastrophic costs.

This bill also requires that applications for school building aid be submitted before January 1 of each year in order to be eligible for aid in the fiscal year following the year of submittal.

Amendment adopted. Referred to Finance (Rule #24)

SB 37-FN-A, making a supplemental appropriation for area vocational school tuition and transportation. Ought to Pass. Senator Hough for the Committee.

SENATOR HOUGH: This bill fulfills promises made last Spring in the House-Senate Conference Committee on the appropriation act. Passage of this bill would place it in the possession of the Committee of Finance and further action by this house on another vehicle later in today's session will also address that subject of fulfilling our obligations to the local area vocational-technical school districts. You should put this bill in Finance at this time. Thank you.

Adopted. Referred to Finance (Rule #24).

SB 49-FN-A, requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program and making an appropriation therefor. Ought to Pass. Senator Disnard for the Committee.

SENATOR DISNARD: Last year, SB 334, which became Chapter 274, initiated a legislative committee to study dropout illiteracy. One of the charges to the committee, and I quote "to study and assess the relationship between the number of hours per week that a student works or participates in sports and the student's academic achievement." The committee held about 16 meetings this past summer and this particular area was observed but we were unable to find any data. We did find out that the State of Maine includes in a questionnaire as part of its testing program in the secondary level, high school level, particular questions relating to work, dropout, achievement, etc. and thus we questioned the Department of Education to have a similar questionnaire. They have developed it, they have made arrangements with the testing service that completes or makes the tests for our secondary schools. Therefore, we need this data and we're requesting \$12,500. Honestly, the test is \$9,250 but the collating and the other paperwork brings the cost up. It's a good bill. If at any time we need any more additional information on the impact on working hours, extra curriculum activities, this is one of the few areas where we can obtain it.

Adopted. Referred to Finance (Rule #24).

SB 101-FN-A, relative to production of music videotapes for classroom use and making an appropriation therefor. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: This bill appropriates funds to the Department of Education for production of two educational videotape cassettes by the New Hampshire Symphony Orchestra. The committee felt it was inexpedient to legislate. Support of the arts as to specific organizations is handled by the council on the arts. The intent here was excellent and it's most unfortunate, but it isn't the appropriate way to develop these pieces of educational material.

Adopted.

SB 109-FN-A, establishing a pilot reading recovery program and making an appropriation therefor. Ought to Pass. Senator Hough for the Committee.

SENATOR HOUGH: The committee met and heard public testimony on SB 109-FN-A. We had an exhausting public hearing, we had a large amount of information relative to this pilot project and the new reading recovery program. Aside from the prime sponsor of this bill being your's truly, this bill had the unanimous support of the committee as one of the most exciting pieces of educational legislation of this session and it belongs in Finance so that we can make sure that we appropriate the necessary dollars in helping our youngsters in the State of New Hampshire. Please support the committees' report.

Adopted. Referred to Finance (Rule #24).

SB 115-FN, establishing a committee to study private sector involvement in public education. Ought to Pass with Amendment. Senator Magee for the Committee.

SENATOR MAGEE: SB 115-FN establishes a committee which will report back to the President of the Senate and the Speaker of the House by December 1, 1989. The amendment I refer to is found on page 14 of your calendar today. As a matter of that amendment, two members of the Senate are appointed by the President of the Senate, two members appointed by the Speaker of the House, one member - a commissioner of education or his designee, six members of the private sector, citizen sector, one of which being a laborer and one being a member from the retailers, one member from the Chamber of Commerce, one member from the business association for a total of 13 members. I respectfully request your support on this bill.

AMENDMENT TO SB 115-FN

Amend the bill by replacing section 2 of the bill with the following:

2 Committee Established; Membership. There is hereby established a committee to determine how to encourage the private sector to become more involved in public education. The committee membership shall be as follows:

I. Two members of the senate, or their designees, appointed by the president of the senate.

II. Two members of the house of representatives, or their designees, appointed by the speaker of the house.

III. The commissioner of the department of education or designee.

IV. Six public members, one of whom shall represent organized labor and one of whom shall represent the retailing industry, appointed by the governor.

V. One member from the department of postsecondary vocational-technical education, appointed by the commissioner.

VI. One representative from the New Hampshire Association of Commerce and Industry, Inc., appointed by that association.

VII. One representative from the Business and Industry Association of New Hampshire, appointed by that association.

Amendment adopted. Ordered to Third Reading.

SB 135-FN, prohibiting students from voluntarily leaving school at age 16 or 17 without demonstrating literacy. Ought to Pass. Senator Disnard for the Committee.

SENATOR DISNARD: The analysis is totally inept. All this bill does, there are presently two conflicting laws regarding leaving school. The old law said a student must attend school ages 6 to 16. Last year, SB 334 indicated, and this is also a law on the books, a child shall be eligible to leave school voluntarily at age 16 or 17, only after demonstrating a level of competency determined by the local school board pursuant to RSA 189. If this bill is defeated today, the eligibility to leave school at 16 or 17 is still part of the law. All this does is change from 16 to 18 to comply with SB 334, which both houses passed last year, so there won't be two conflicting laws on the books. This was at the request of the Department of Education because they were running into administrative problems.

The fiscal note is totally in error and I don't know how it could be arrived at. The methodology of arriving at this, I won't say it's a falsehood but it certainly comes close to it. School districts take an amount of money appropriated to run the schools from a particular year and divide the number of students into this to determine a per pupil cost. What this bill says is, if a child returns to school, they

multiply the per pupil cost by the number of children that would return on the dropout issue. Now, stop and think. If you're running a physics class, and five students leave, you still have to run the class. If the students return or leave school you still have the buses, you still have your electricity, you still have your custodians, you still have your noon lunch program, you still have your books, you still have your athletics, so when they use the methodology of so much cost per pupil, I hope you understand what I'm trying to say because it's totally inadequate. Don't believe it.

Adopted. Referred to Finance (Rule #24).

SB 142-A, making an appropriation to the vocational-technical college in Claremont. Ought to Pass. Senator Disnard for the Committee.

SENATOR DISNARD: I ask that the Senate send this to Finance. Five million dollars really isn't the amount needed, it's a policy decision. If a petition is made, the equipment would not be made for the first year so there are some compromises that can be made. But I just wish to call your attention to three graphs that you have in front of you. They all indicate that the Claremont post secondary vocational-technical college, in six years you see .7% (7/10th of a percent) of money that was appropriated for the college for post secondary vocational-technical institute. If you look at the first one with the bars, if you don't wear glasses you couldn't see that amount of money. Another area is the pie; I wouldn't want to be served that slice of pie, I wouldn't be able to eat it. Another graph shows you what all the other vocational colleges have received. All I'm saying is, I understand the money problem in the state but I hope you can see that we feel that in our part of the state the post secondary system doesn't realize that we're living and I just request that this go to Finance.

Adopted. Referred to Finance (Rule #24).

SB 182-FN-A, making an appropriation to expand the nursing programs at the New Hampshire vocational-technical college-Claremont. Ought to Pass. Senator Disnard for the Committee.

SENATOR DISNARD: Once again, I hope you realize that in the post secondary system each of the postsecondary institutions has a major; such as culinary arts in the north country, health programs is the one in the Claremont area. They all have a program which they put major emphasis on and have other programs also. I don't have to insult your intelligence, but I know you're aware that in 1987, in this

country, 78.6% of the hospitals in this country needed nurses. 14% had to close emergency rooms, 75% rely on overtime work from nurses and you know what a problem that is with our employees in the state. 41% employ temporary nurses. 20% of large urban hospitals have to take beds out of service temporarily. This bill just helps practical nurses and certified nurses and also includes off campus coordination between Keene State and other hospitals, Mary Hitchcock and others from one area. It's a good bill, it passed unanimously. When you go home tonight, look at the want ad page in any of your papers or all the papers you can get a hold of. Most of the pages are filled with hospitals, nursing homes, looking for associate nurses or practical nurses. This just helps that area. There was no opposition.

Adopted. Referred to Finance (Rule #24).

SB 43-FN, relative to licensing engineers, architects, and land surveyors. Ought to Pass with Amendment. Senator Stephen for the Committee.

SENATOR STEPHEN: This bill was originally put in at the request of the joint board of licensed engineers, architects and land surveyors as primarily a housekeeping measure. They wanted to update some definitions and also have the licenses come due on birthdays of the licensees instead of all coming due in December. Everyone's problems were resolved and the committee recommended ought to pass with amendment.

AMENDMENT TO SB 43-FN

Amend RSA 310-A:12, III as inserted by section 7 of the bill by replacing it with the following:

III. Applicants with a minimum of 25 years of professional engineering experience of which at least 10 years shall have been in responsible charge of engineering work satisfactory to the board may apply for licensure under this section on the basis of education and experience.

Amend the bill by replacing all after section 21 with the following:

22 New Paragraph; Land Surveyor Not to Practice Engineering. Amend RSA 310-A:53 by inserting after paragraph II the following new paragraph:

III. Nothing in this subdivision shall be construed to give to a land surveyor the right to perform engineering design or other elements of the practice of professional engineering as defined in RSA 310-A:2, III.

23 Not to Affect Civil Engineers. RSA 310-A:74, I is repealed and reenacted to read as follows:

I. The practice of surveying principles by a licensed civil engineer necessary in carrying out engineering or construction management practices, but not to include the location or establishment of property boundaries.

24 Expiration of Soil Scientist Certification. RSA 310-A:88 is repealed and reenacted to read as follows:

310-A:88 Expiration. A certification shall expire on the last day of the certificate holder's month of birth in the year 2 years following the year of issuance.

25 Repeal. RSA 310-A:27, I, relative to the practice of engineering by a nonresident, is repealed.

26 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill changes the general licensure requirements for engineers and allows engineers with a certain amount of experience to obtain a license on the basis of education and experience. Provision is made for nonresident engineers to apply for a temporary permit to practice engineering in the state for up to 6 months in a calendar year or to apply for a state license. The board of engineers is given additional rulemaking authority relating to their new areas of responsibility.

The bill defines the practice of land surveying and clarifies what is meant by representing oneself as a land surveyor. Nonresident land surveyors may obtain a temporary certificate to practice in the state, but not to exceed 30 days in one year.

Engineering, architecture, and land surveying licenses and soil scientist certificates are made to expire on the last day of the month of the licensee's birthday, rather than on December 31, in the year 2 years following the year of issuance. For engineers and land surveyors who submit late renewal fees, there is a reinstatement fee which escalates each additional month the fee is late. The sizes of the licensing boards for engineers, architects, and land surveyors are increased. This bill requires that the roster of licensed engineers or architects be sent only to resident licensed engineers or architects, and not all licensed engineers or architects as is currently required.

This bill is a request of the joint board of engineers, architects, land surveyors, and natural scientists.

Amendment adopted. Ordered to Third Reading.

SB 140-FN, relative to elderly property tax exemptions and increase in the assessed valuation of real estate. Ought to Pass with Amendment. Senator Currier for the Committee.

SENATOR CURRIER: SB 140 basically, the amendment is on page 16 of your calendar, reflects changing when a town reassesses within the municipality so that a portion of the basis, in regards to the elderly and expanded exemptions, so that it's a more fair and equitable way to deal with our senior citizens as they deal with the high rising cost of local property taxes and I urge the Senate to concur with the committee report.

AMENDMENT TO SB 140-FN

Amend the bill by replacing sections 1-7 with the following:

1 Change in Wording of Question. Amend RSA 72:43-a, I(d) to read as follows:

(d) The wording on the ballot of any referendum for the adoption of this subdivision shall be as follows: "Shall we adopt the provisions of RSA 72:43-b and 43-c for expanded exemptions on real estate which provide for a resident 65 years of age up to 75, a \$5,000 exemption; a resident 75 years of age up to 80, a \$10,000 exemption; a resident 80 years of age or older, a \$20,000 exemption, provided that the resident owns the real estate individually or jointly with another or his spouse with whom he has been living for at least 5 years as man and wife; said resident had a net income of less than \$7,000 or combined income with spouse of less than \$9,000; and owns assets of any kind, tangible or intangible, less bona fide encumbrances, not in excess of the value specified in RSA 72:43-c, III; provided that the exemptions shall be based upon the assessed value of the real estate, and further provided that, **when real estate is reassessed in a municipality, and the reassessment results in an increased assessed valuation for the real estate in the municipality, the dollar amount of each exemption shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption?**"

2 New Paragraph; Expanded Elderly Exemption Increased. Amend RSA 72:43-b by inserting after paragraph II the following new paragraph:

III. When real estate is reassessed in a municipality, and the reassessment results in an increased assessed valuation for the real estate in the municipality, the dollar amount of each exemption

listed in paragraph I shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption.

3 Change in Wording of Question. Amend RSA 72:43-e, I(c) to read as follows:

(c) The wording of the question shall be: "Shall we adopt the provisions of RSA 72:43-f for the adjusted elderly exemptions from property tax? These statutes provide for the following exemptions, based on assessed value, for qualified taxpayers: for a person 65 years of age up to 75 years, \$10,000; for a person 75 years of age up to 80 years, \$15,000; for a person 80 years of age or older, \$20,000, **provided that, when real estate is reassessed in a municipality, and the reassessment results in an increased assessed valuation for the real estate in the municipality, the dollar amount of each exemption shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption.** To qualify, the person must have been a New Hampshire resident for at least 5 years; own the real estate individually or jointly, or if the real estate is owned by his spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of less than \$10,000 or if married, a combined net income of less than \$12,000, and own net assets of \$30,000 or less, excluding the value of the person's residence."

4 New Paragraph; Adjusted Elderly Exemption Increased. Amend RSA 72:43-f by inserting after paragraph II the following new paragraph:

III. When real estate is reassessed in a municipality, and the reassessment results in an increased assessed valuation for the real estate in the municipality, the dollar amount of each exemption listed in paragraph I shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption.

5 New Paragraph; Optional Adjusted Elderly Exemption Increased. Amend RSA 72:43-h by inserting after paragraph I the following new paragraph:

I-a. When real estate is reassessed in a municipality, and the reassessment results in an increased assessed valuation for the real estate in the municipality, the dollar amount of each exemption adopted by the municipality in paragraph I shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption.

6 Change in Wording of Question. Amend RSA 72:43-h, I(c) to read as follows:

(c) The wording of the question shall be: "Shall we adopt optional adjusted elderly exemptions from property tax? The optional exemptions, based on assessed value, for qualified taxpayers shall be as follows: for a person 65 years of age up to 75 years, (here insert dollar amount); for a person 75 years of age up to 80 years, (here insert dollar amount); for a person 80 years of age or older, (here insert dollar amount), **provided that, when real estate is reassessed in a municipality, and the reassessment results in an increased assessed valuation for the real estate in the municipality, the dollar amount of each exemption shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption.** To qualify, the person must have been a New Hampshire resident for at least 5 years; own the real estate individually or jointly, or if the real estate is owned by his spouse, they must have been married for at least 5 years. In addition, the taxpayer must have a net income of less than \$10,000 or, if married, a combined net income of less than \$12,000; and own net assets of (here insert dollar amount) excluding the value of the person's residence."

7 Application. Any town or city which has adopted an elderly exemption under RSA 72:43-a, 72:43-e, or 72:43-h prior to the effective date of this act shall place a question on the same type of ballot which was used in the adoption of the elderly exemption as follows: "Shall we adopt the 1989 amendment to RSA (here insert 72:43-b, 72:43-f, or 72:43-h, as appropriate) which provided that, when a reassessment results in an increased assessed valuation for real estate, the dollar amount of each elderly exemption shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption?" Ballots shall be printed and counted as provided in RSA 72:43-a, 72:43-e, or 72:43-h, as appropriate. If the town or city does not accept the amended provision, the town or city shall continue to grant the elderly exemption as it existed immediately prior to its amendment by this act.

AMENDED ANALYSIS

Under the provisions of this bill, when real estate is reassessed in a municipality, and the assessment results in an increased assessed valuation for the real estate in the municipality, the dollar amount of the expanded elderly, adjusted elderly, and optional elderly exemptions shall be increased according to the percentage increase between the old and new assessed valuation of the real estate owned by the person entitled to the exemption.

Amendment adopted. Ordered to Third Reading.

SB 174-FN, relative to the regulation of estheticians. Ought to Pass. Senator Magee for the Committee.

SENATOR MAGEE: This bill extends the board of barbering and cosmetology to include estheticians and I would appreciate your support. The bill was passed unanimously in the committee.

SENATOR JOHNSON: Senator Magee, if I'm in favor of the general notion of ethics, would I be in favor of voting for this bill?

SENATOR MAGEE: Yes, you would.

Adopted. Ordered to Third Reading.

SB 185-FN certifying geologists. Ought to Pass with Amendment. Senator Disnard for the Committee.

SENATOR DISNARD: The sponsor of 185, certifying geologists, came in with an amendment to make this bill a study committee, to study the problem. Everyone testifying seemed to agree that geologists should be certified, especially those in the area of dealing with hazardous wastes and so on. However, the committee felt that there were some problems with the present bill and most of the people who testified were happy to have the amendment making it a study committee. The committee thinks that the study committee and the joint board will be able to work on this and come back next session with a bill that will solve most of the problems that arose.

AMENDMENT TO SB 185-FN

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a board of natural scientists study committee.

Amend the bill by replacing all after the enacting clause with the following:

1 Study Committee Established. The 1988 legislative session of the general court established a board of natural scientists and procedures to certify professional soil scientists under this board in 1988, 281. This legislation also established a study committee under the commissioner of agriculture to explore expanding the jurisdiction of the board of natural scientists to include other related disciplines. The committee, whose term has expired, did not reach a consensus

on the mechanisms for expanding the board's jurisdiction. A new study committee is established with the specific charge of evaluating the most effective method of expanding the board of natural scientists to include geologists and other scientific professions. The committee shall report to the legislature on or before September 1, 1989.

2 Committee Members.

I. The members of the committee shall include:

(a) The chairman of the joint board of engineers, architects, land surveyors, and natural scientists, who shall serve as chairman.

(b) The chairman of the board of natural scientists.

(c) The state geologist.

(d) A person representing the New Hampshire Association of Consulting Soil Scientists, designated by the association.

(e) Two people representing consulting geologists, designated by the New Hampshire Association of Professional Geologists.

(f) A person representing the Consulting Engineers of New Hampshire, designated by such organization.

II. The members of the committee shall serve without compensation.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill creates a 7-member study committee to determine how to expand the board of natural scientists to include licensing of related scientific professions, including geologists.

The committee shall be under the commissioner of agriculture and shall report to the legislature on or before September 1, 1989.

Amendment adopted. Ordered to Third Reading.

CACR 1, relating to meetings of the general court. Providing that the general court shall meet biennially. Ought to Pass. Senator Delahunt for the Committee.

SENATOR DELAHUNTY: This constitutional amendment concurrent resolution replaces annual legislative sessions with biennial legislative sessions. Because of the fact that this bill has been debated to death during the last two years, I'm not going to go through it all over again. The majority of testimony supported biennial sessions and the committee requests your support of the recommendation of ought to pass. I don't think much more can be said that is going to sway any Senator's mind.

SENATOR ST. JEAN: Senator Delahunt, don't you think the people should decide this particular issue?

SENATOR DELAHUNTY: Do I think people should decide this? I think these people should, they should give their thoughts to the people so they can decide and have a basis to decide from. I think what the people don't understand, Senator, is the cost involved and the efforts involved to have these annual sessions.

SENATOR ST. JEAN: Senator, do you think that the people of this state are very capable of deciding on complicated issues such as this?

SENATOR DELAHUNTY: Senator, I think that's a good question.

SENATOR BLAISDELL: Senator St. Jean, how many times have you voted on this?

SENATOR ST. JEAN: Once, that I know of.

SENATOR BLAISDELL: Would you believe that it was five times?

SENATOR ST. JEAN: I would believe anything my chairman would tell me.

SENATOR BLAISDELL: What was the vote each time it came before the people? Was it over 60% each time that the people decided that we should go into annual sessions?

SENATOR ST. JEAN: Yes. But the way the question was written, Senator Blaisdell, was really quite difficult to decipher exactly what you were voting for. I support this legislation because I think that if it's written in a very straightforward manner, individuals out there will be able to pass this.

SENATOR BLAISDELL: You say that 66 and 2/3rds of the people of New Hampshire can't read?

SENATOR ST. JEAN: I, too, Senator read that particular question and was really quite confused.

SENATOR BLAISDELL: Senator St. Jean, knowing you from being on my committee I realize that!

SENATOR BOND: The 1984 ConCon I supported the resolution which eventually amended the constitution to call for annual sessions. In the past, every time this has come up in this chamber I have supported annual sessions as opposed to biennial sessions. However, I have become convinced with the last four years in this

body that there is no way that rules or otherwise that we can reduce the work load with annual sessions. In fact, we have increased them. Therefore I am going to support this resolution this time.

SENATOR BASS: I rise in opposition to this motion. I do so for a number of reasons. I'm aware of what Senator Delahunty said, that everybody may have already decided how they want to vote, but I'd like to have you folks look at me as a typical example of somebody who ought to be supporting biennial sessions because I'm trying to hold a job myself. I can least afford to be sitting up here in the Senate year in and year out. But the fact of the matter is that going back to biennial sessions is not really going to change anything. I've lived under biennial sessions and annual sessions and the work load is the same. This is not a real crisis we're facing here, this is a contrived crisis. The fact of the matter is that, if the policy makers in the Senate and the House will get together and decide that we can do something to work effectively under the annual session mode, for example, considering the budget bill in the first year and the policy issues in the second year; we can end up spending less time here in Concord. The fact of the matter is that the people in this state knew full well what they were voting for, but they haven't gotten what they thought they were voting for. They thought they were going to vote for government that was going to operate in the late 20th century, not the late 19th century mode. What they've gotten instead of annual sessions is biennial sessions annually. People were looking for more flexible government. All they got was more government. This issue has indeed been debated to death and I'm calling upon all of you people both here in the Senate and the House to come to the conclusion that annual sessions are a reality of the late 20th century, and that we should get together and try to make them work so we don't have to spend so much time up here. I urge the membership to vote no.

SENATOR CHARBONNEAU: Senator Bass, our sessions went from eight million dollars to twelve million dollars. With a deficit that is facing us, don't you feel that that other four million dollars would be better used in areas where it is needed?

SENATOR BASS: Absolutely, Senator Charbonneau. We could cut the budget in half if we reorganized annual sessions so that we didn't waste so much time dealing with the same bill in the first year as we deal with in the second year, allowing introduction and going through the process twice, once in the first year and once in the second year. If we got together and formed a rules committee that was really able to make major institutional adjustments in the way

we handle our procedures here, we would hand up the budget that was probably considerably less than that which we had under biennial sessions.

SENATOR CHARBONNEAU: But don't you feel, when you're saying that the bills could be reduced, don't you find that whatever legislator comes in wants to introduce the same bill over if they lose? I have found that out in the last two years.

SENATOR BASS: Yes, but if we were to make it difficult for legislators to introduce the same bill year after year, we might end up getting them every other year. It's my position that if we reorganize the biennium into, in essence, one session so that we deal with one facet of our job in the first year and another facet in the second; i.e. the budget in the first year and the policy matters in the second year, we're not going to have repetition of bills. We're not going to have poorly drafted bills by legislative services because they have to do everything in one or two days. We're not going to have so much confusion in amendments coming up on the floor; for example, we'll be better organized. It'll give the leadership much more ability to organize the mandate per given biennium what they want to concentrate on instead of just having our committees reactive to the tremendous onslaught of legislation that comes in. So, Senator Charbonneau, I agree with you that I think remaining in annual sessions will probably save us money and I think that's an important priority.

SENATOR HOUGH: Senator Delahunty indicated that we are plowing ground that has been plowed before and I respect what Senator Bass has said, but I think an exercise in civics is not the question. The reality is that I will vote against this, ditto my remarks of a year ago, two years ago, three years ago. But the reality is that the votes are here to pass it, regrettably. I'm against it, I'll continue to be against it. It won't come to pass because it won't survive the other body and we're going to be back here next year and the year after and hopefully we'll get around to doing the people's business more efficiently.

Division vote (3/5th vote needed to pass)

19 Yeas

4 Nays

Adopted. Ordered to Third Reading.

Senators Hough, Blaisdell, Bass and McLane wished to be recorded as opposed.

CACR 3, relating to a yearly property tax. Providing that property taxation shall not exceed the previous year's levels by more than 5 percent in any city, town, or other political subdivision unless approved by two-thirds of the voters of such a city, town or other political subdivision. Inexpedient to Legislate. Senator Freese for the Committee.

SENATOR FREESE: Later on in this session we may get the opportunity to support legislation which would establish a growth formula of state revenue sharing to relieve property taxes so that when the state general fund revenues are up, property taxpayers share in those revenues. In the mean time the Executive Departments committee recommends inexpedient to legislate on CACR 3.

Senator Dupont moved to lay CACR 3 on the table.

Adopted.

SB 1-FN-A, making an appropriation to the liquor commission for air-conditioning. Ought to Pass with Amendment. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: This particular bill came down to Finance with a \$15,000 appropriation in it for an air conditioning of a liquor store in Senator Disnard's district. In the wisdom of Senate Finance and the feeling that there would be sufficient funds within the liquor commission's budget, we amended it to include one dollar and report it out as ought to pass.

AMENDMENT TO SB 1-FN-A

Amend the bill by replacing section 1 with the following:

1 Appropriation. The sum of \$1 is hereby appropriated to the state liquor commission for the fiscal year ending June 30, 1990, for the purpose of air conditioning the Walpole liquor store. This appropriation is in addition to any other funds appropriated to the state liquor commission. The governor is authorized to draw his warrant for such sum out of any money in the treasury not otherwise appropriated.

Amendment adopted. Ordered to Third Reading.

SB 172-FN-A, relative to the capital reserve fund and making an appropriation therefor. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 172 reestablishes a nonlapsing capital reserve fund in the office of the state treasurer. This fund will be used

for the purpose of providing funds for certain capital projects as specified by the general court, in lieu of issuing bonds. The bill also appropriates 4.9 million dollars from the general fund in fiscal year 1989 to the capital reserve fund. This sum equals the sum lapsed from the existing capital reserve fund to the general fund at the end of the fiscal year 1988 and appropriates the sums dedicated in fiscal 1989 to the previously created capital reserve fund to the newly established capital reserve fund. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 4-A, making supplemental appropriations for fiscal year 1989. Ought to Pass with Amendment. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: Before I get into this report of SB 4-A, I want you to know that Senate Finance has worked long and hard for the past three weeks. If it wasn't for the cooperation of Charlie Connors and his capable staff downstairs, certainly this report would not be ready this soon. I want to personally thank the members of Finance who worked so hard on this bill. I want to thank the Senate President's office for the cooperation that we received, his charge to us was to take the problem and solve it! What you have before you is the Senate Finance report on SB 4-A, the supplemental appropriation for state fiscal year 1989. I might add that the decisions in this bill were hard and we took some real agonizing minutes and hours to go through them. I think what we face in this session, on the budget, these decisions will be a lot easier than the ones we're going to have to face in the next couple of months. I've tried to provide you with the necessary background so that you may better understand where we started from and what we had to do and finally, what we accomplished.

Information relative to the surplus or deficit of the general fund has been provided to you from time to time, so it should not be surprising to any of us that we are facing a deficit at the end of fiscal year 1989 if we do nothing. The responsible actions which need to take place are taking place.

First the Governor, with the required approval of the fiscal committee, has issued executive order 89-1, which guarantees the estimated lapse. That order, of course as you know, calls for a 3% reduction of agency appropriations.

Second, the state has commitments in fiscal year 1989 that it should meet, but the resources or revenues, as you might say, needed to

balance this action are not foreseeably available. The Finance Committee's challenge was to determine how to pay for something we already owed but had no funds to do it with. Well, resolved! We had to reorder our appropriation priorities. This effort required we reduce agency appropriations for some agencies, increase appropriations for others and finally increase and decrease appropriations for others and further required that some charges for appropriations made to the operating fund were reordered to be charged against the capital reserve fund that you just heard Senator Podles describe.

Having accomplished the above without raising an additional dollar, we estimate, and there was a sheet just passed out, we estimate a surplus of four hundred thousand dollars (\$400,000) in fiscal year 1989.

Now, I told you to get out your Senate calendar #9 and, as you know, the committee amendment starts after page 22. First I'll address the increases. Please note that the committee report replaces all of what was in SB 4. The increases, on page 3 for instance, retirement, insurance benefits, \$724,235; on page 5, DRED, one position, \$9,390; paid sick for 26 pay periods for DRED, which amounted to \$120,411; page 6, the one you're all interested in - children and youth, the settlement bill, \$4,880,000. Page 7, human services, provide the payments of \$1,581,782. Page 9, one you've all been hearing about from your school districts, school building aid at \$3,154,526. Page 11, tuition and transportation for your state voc-tech, \$290,352. Catastrophic costs on page 12, under education, \$2,378,333. Then, let's go to page 38. Human services, AFDC grants - \$509,848. Page 38 again, aids and the needy blind, \$19,071. Nursing home grants on the same page, 39, for \$1,181,717. Then on page 39 again, the indigent defenders, the assigned counsels for \$300,000. That comes to \$15,149,665. There's a floor amendment on corrections that's going to add about \$1,764 to it to bring a total increase in general fund appropriations to \$16,914,147.

Let's talk about the decreases; I'll address just the major ones. On page 1, office of the Governor; he probably just fell out of his chair, but it's \$150,363. Page one again, administrative services, another \$121,000. Page 2 on revenue administration, we took \$252,000, almost \$253,000. On page 3, debt service from the treasury we took \$6,123,000. On page 4, the judicial branch, on court security, \$128,938. Over in resources and economic development on page 5, we took \$270,000. Page 6, division of human services we took \$316,000. Of course, then the Governor's executive order, page 16 the university system \$1,600,000. On page 20, safety \$174,000. Liquor

commission on page 20 we took \$849,000. And in corrections we took \$101,000. Of course there are some others that are clearly stated by the way, in section 5, that's on page 41 if you want to look through it.

When all of the above decreases are considered, they sum up to \$13,178,147. The remainder necessary to balance resulted from the various action taken as described in each of the sections, beginning with section 6, if you'd like, reduces postsecondary vocational-technical education department by \$496,000. Judicial branch, section 7, by \$762,000. The water pollution control revolving fund, \$2,400,000 by transferring this charge to the capital reserve fund as Senator Podles reported it. Also to the capital reserve fund, the Conway Village Fire District appropriation, and this action there released to us for our use \$1,216,000 in sections nine, ten and eleven. Section twelve yields \$250,000. Section thirteen, from the liquor commission, about \$1.2 million and we can explain that to you; Senator Torr had that in his section. Section twelve releases charges to the surplus account that are not currently due and provides for the mechanism to meet this obligation when due, if due, several years from now. The total decrease appropriation adjustments to the general fund amount to \$21,395,283 and the hand out that you have in front of you, entitled "Forecasts of Funds", after passage of SB 4-A summarizes what SB 4-A accomplishes and what balance will be anticipated June 30, 1989. I'm going to close it there. I hope I've explained some of it. I hope I haven't confused you too much. But, as the charge of the Senate Finance Committee, and this Senate, if I read this Senate right, you wanted a balanced budget as of June 30, 1989. These decisions didn't come easy. They were hard and long to come by. In our judgment, this is the way we balanced the budget, it's not pleasant but I can tell you that what we face in the next couple of months is not going to be pleasant either. This is a charge that you, as the Senate, have given to us in Senate Finance and we think we fulfilled it.

SENATOR JOHNSON: Senator Blaisdell, I really appreciate the detailed report that you delivered. My question is this; to what extent will the \$13,000,000 that is essentially reduced from the current budget, come back in the next biennium?

SENATOR BLAISDELL: I don't think it's going to have anything to do with the next biennium, Senator. That will be a new budget, a new start. We're just paying the bills that we owe from last year, under this amendment right now.

SENATOR JOHNSON: Perhaps I didn't make myself clear. You talk about the Conway Fire District or something like that where you took some money out but, is that going to come back? Are we going to see those expenditures?

SENATOR BLAISDELL: We're going to bond that, Senator. That's what we're going to do with the Conway Fire District. Also it comes out of the capital reserve. It won't come back, Senator. It'll come out of the capital reserve account.

SENATOR MCLANE: Senator Blaisdell, you've told us in terms of numbers what you've reduced from the budget, but you haven't given us any sort of set priorities and it's my assumption, as I look at your inclusion of Terrell House and the School for Life Long Learning in Claremont and Keene and everywhere else, that you've done it by a percentage. Is that true?

SENATOR BLAISDELL: No it's not Senator. The Governor's is by a percentage but not what we did in Senate Finance. We just went down through the whole list. A pick and choose list given to us by the LBA's office. We had to make those decisions. Personally, Senator Hough and maybe Senator Torri, maybe we would have liked to have reduced the \$1.6 million that we have to take from the university system; but we had to make that decision in Finance and Human Services came first. Because, as you know the halls were being filled with people here telling us that we were going to be laying off people. So, we put the money back into human services. I'd like to have taken it and maybe cut the university in half. I didn't have the resources to do that. So, what I did was, what I thought, the best choice and the Senate Finance Committee concurred that human services came before anything else.

SENATOR MCLANE: So, you are telling me that you did have some priorities; which is human services first, university second?

SENATOR BLAISDELL: Absolutely. As you know, that's how I got the liberal image, supposedly, of being a big favorite of the university and spending all that foolish money on our kids, but I had to make a decision and I did. I made what I thought was the best decision and certainly the committee was unanimous that human services was first.

AMENDMENT TO SB 4-A

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1 1987, 400:1 AMENDED. THE FOLLOWING PAU'S AND LINE
ITEMS
IN 1987, 400:1 FOR FISCAL YEAR 1989 ARE AMENDED AS
FOLLOWS:

01 GENERAL GOVERNMENT	
03 EXECUTIVE OFFICE	
01 OFFICE OF THE GOVERNOR	
01 OFFICE OF THE GOVERNOR	
01 OFFICE OF THE GOVERNOR	
STRIKE OUT	
94 N E GOVERNORS CONFERENCE	175,000
INSERT IN PLACE THEREOF	
94 N E GOVERNORS CONFERENCE	132,687
STRIKE OUT	
95 OPERATING BUDGET CONTINGENT *	125,000
INSERT IN PLACE THEREOF	
95 OPERATING BUDGET CONTINGENT *	15,950
TOTAL	1,921,450

ESTIMATED SOURCE OF FUNDS FOR	
OFFICE OF THE GOVERNOR	
STRIKE OUT	
GENERAL FUNDS	1,831,013
INSERT IN PLACE THEREOF	
GENERAL FUNDS	1,679,650
TOTAL	1,921,450

01 GENERAL GOVERNMENT	
04 DEPARTMENT OF ADMINISTRATIVE SERVICES	
01 OFFICE OF COMMISSIONER	
03 FINANCIAL DATA MANAGEMENT	
STRIKE OUT	
96 INTEGRATED FINANCIAL SYSTEM*	419,000
INSERT IN PLACE THEREOF	
96 INTEGRATED FINANCIAL SYSTEM*	297,780
TOTAL	1,450,371

ESTIMATED SOURCE OF FUNDS FOR	
FINANCIAL DATA MANAGEMENT	
STRIKE OUT	
GENERAL FUNDS	1,571,591
INSERT IN PLACE THEREOF	
GENERAL FUNDS	1,450,371
TOTAL	1,450,371

01 GENERAL GOVERNMENT
 04 DEPARTMENT OF ADMINISTRATIVE SERVICES
 02 DIVISION OF ACCOUNTING SERVICES
 01 FINANCIAL REPORTING

STRIKE OUT

91 PREPARATION OF ANNUAL REPORT *	65,203
INSERT IN PLACE THEREOF	
91 PREPARATION OF ANNUAL REPORT *	53,751
TOTAL	288,713

ESTIMATED SOURCE OF FUNDS FOR
 FINANCIAL REPORTING

STRIKE OUT

GENERAL FUNDS	300,165
INSERT IN PLACE THEREOF	
GENERAL FUNDS	288,713
TOTAL	288,713

01 GENERAL GOVERNMENT
 07 REVENUE ADMINISTRATION
 02 REVENUE COLLECTIONS
 01 AUDIT DIVISION

STRIKE OUT

80 OUT-OF-STATE TRAVEL	228,104
INSERT IN PLACE THEREOF	
80 OUT-OF-STATE TRAVEL	182,452
TOTAL	1,988,915

ESTIMATED SOURCE OF FUNDS FOR
 AUDIT DIVISION

STRIKE OUT

GENERAL FUNDS	2,034,567
INSERT IN PLACE THEREOF	
GENERAL FUNDS	1,988,915
TOTAL	1,988,915

01 GENERAL GOVERNMENT
 07 REVENUE ADMINISTRATION
 02 REVENUE COLLECTIONS
 03 RETURNS PROCESSING DIVISION

STRIKE OUT

29 TRANSFER TO INFORMATION SERVICES *	382,533
INSERT IN PLACE THEREOF	
29 TRANSFER TO INFORMATION SERVICES *	129,616
TOTAL	1,021,740

ESTIMATED SOURCE OF FUNDS FOR
RETURNS PROCESSING DIVISION
STRIKE OUT

GENERAL FUNDS	1,274,657
INSERT IN PLACE THEREOF	
GENERAL FUNDS	1,021,740
TOTAL	1,021,740

01 GENERAL GOVERNMENT

08 STATE TREASURY

03 SPECIAL GENERAL FUND DISTRIBUTION

STRIKE OUT

91 DEBT SERVICE	36,230,000
INSERT IN PLACE THEREOF	
91 DEBT SERVICE	30,730,000
STRIKE OUT	
93 DEBT SERVICE UNH	7,240,363
INSERT IN PLACE THEREOF	
93 DEBT SERVICE UNH	6,616,800
TOTAL	89,600,440

ESTIMATED SOURCE OF FUNDS FOR
SPECIAL GENERAL FUND DISTRIBUTION
STRIKE OUT

GENERAL FUNDS	95,724,003
INSERT IN PLACE THEREOF	
GENERAL FUNDS	89,600,440
TOTAL	89,600,440

01 GENERAL GOVERNMENT

10 NH RETIREMENT SYSTEM

02 STATE CONTRIBUTIONS

STRIKE OUT

92 RETIREES HEALTH INSURANCE	2,957,504
INSERT IN PLACE THEREOF	
92 RETIREES HEALTH INSURANCE	3,681,739
TOTAL	9,384,235

ESTIMATED SOURCE OF FUNDS FOR
STATE CONTRIBUTIONS
STRIKE OUT

GENERAL FUNDS	8,660,669
INSERT IN PLACE THEREOF	
GENERAL FUNDS	9,384,904
TOTAL	9,384,904

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

01 JUDICIAL BRANCH

03 PROBATE COURT

STRIKE OUT

30 EQUIPMENT 45,090

INSERT IN PLACE THEREOF

30 EQUIPMENT 8,404

TOTAL 1,972,245

ESTIMATED SOURCE OF FUNDS FOR PROBATE COURT

STRIKE OUT

GENERAL FUND 2,008,931

INSERT IN PLACE THEREOF

GENERAL FUND 1,972,245

TOTAL 1,972,245

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

01 JUDICIAL BRANCH

08 COURT SECURITY

STRIKE OUT

30 EQUIPMENT 143,000

INSERT IN PLACE THEREOF

30 EQUIPMENT 14,062

TOTAL 55,458

ESTIMATED SOURCE OF FUNDS FOR COURT SECURITY

STRIKE OUT

GENERAL FUND 184,396

INSERT IN PLACE THEREOF

GENERAL FUND 55,458

TOTAL 55,458

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

08 PARI-MUTUEL COMMISSION

02 RACING LABORATORY

STRIKE OUT

90 OTHER EXPENDITURES 2,000

INSERT IN PLACE THEREOF

90 OTHER EXPENDITURES 249

STRIKE OUT

91 LEASE LAB EQUIPMENT 47,500

INSERT IN PLACE THEREOF
 91 LEASE LAB EQUIPMENT
 TOTAL

31,451
 384,041

ESTIMATED SOURCE OF FUNDS FOR
 RACING LABORATORY
 STRIKE OUT

GENERAL FUND
 INSERT IN PLACE THEREOF
 GENERAL FUND
 TOTAL

401,841

 384,041
 384,041

03 RESOURCE PROTECTION AND DEVELOPMENT
 03 RESOURCES AND ECONOMIC DEVELOPMENT
 01 ADMINISTRATION AND SUPPORT
 01 OFFICE OF COMMISSIONER
 STRIKE OUT

10 PERSONAL SERVICES - PERMANENT
 INSERT IN PLACE THEREOF
 10 PERSONAL SERVICES - PERMANENT
 STRIKE OUT
 60 BENEFITS
 INSERT IN PLACE THEREOF
 60 BENEFITS
 TOTAL

369,140

 376,837

 102,376

 104,069
 805,898

ESTIMATED SOURCE OF FUNDS FOR
 OFFICE OF COMMISSIONER
 STRIKE OUT

GENERAL FUNDS
 INSERT IN PLACE THEREOF
 GENERAL FUNDS
 TOTAL

796,508

 805,898
 805,898

03 RESOURCE PROTECTION AND DEVELOPMENT
 03 RESOURCES AND ECONOMIC DEVELOPMENT
 01 ADMINISTRATION AND SUPPORT
 02 DESIGN DEVELOPMENT & MAINTENANCE
 STRIKE OUT

47 OWN MAINT BLDGS & GROUNDS
 INSERT IN PLACE THEREOF
 47 OWN MAINT BLDGS & GROUNDS
 TOTAL

340,000

 240,000
 658,283

ESTIMATED SOURCE OF FUNDS FOR
DESIGN DEVELOPMENT & MAINTENANCE
STRIKE OUT

GENERAL FUNDS	758,283
INSERT IN PLACE THEREOF	
GENERAL FUNDS	658,283
TOTAL	658,283

03 RESOURCE PROTECTION AND DEVELOPMENT
03 RESOURCES AND ECONOMIC DEVELOPMENT
02 ECONOMIC DEVELOPMENT
03 VACATION TRAVEL PROMOTION
STRIKE OUT

93 JOINT PROMOTIONAL ADVERTISING**	725,000
INSERT IN PLACE THEREOF	
93 JOINT PROMOTIONAL ADVERTISING**	555,000
TOTAL	1,745,207

ESTIMATED SOURCE OF FUNDS FOR
VACATION TRAVEL PROMOTION
STRIKE OUT

GENERAL FUNDS	1,915,207
INSERT IN PLACE THEREOF	
GENERAL FUNDS	1,745,207
TOTAL	1,745,207

03 RESOURCE PROTECTION AND DEVELOPMENT
03 RESOURCES AND ECONOMIC DEVELOPMENT
04 PARKS AND RECREATION
03 SERVICE PARKS
STRIKE OUT

50 OTHER PERSONAL SERVICES	1,041,652
INSERT IN PLACE THEREOF	
50 OTHER PERSONAL SERVICES	1,153,652
STRIKE OUT	
60 BENEFITS	135,970
INSERT IN PLACE THEREOF	
60 BENEFITS	144,381
TOTAL	2,044,044

ESTIMATED SOURCE OF FUNDS FOR SERVICE PARKS
STRIKE OUT

GENERAL FUNDS	1,923,633
INSERT IN PLACE THEREOF	
GENERAL FUNDS	2,044,044
TOTAL	2,044,044

03 RESOURCE PROTECTION AND DEVELOPMENT
 04 DEPT OF ENVIRONMENTAL SERVICES
 03 DIV OF WATER POLLUTION CONTROL
 01 WATER POLLUTION PROGRAM
 01 POLLUTION CONTROL PROGRAM
 STRIKE OUT

90 STATE AID GRANTS	12,538,637
INSERT IN PLACE THEREOF	
90 STATE AID GRANTS	12,211,990
TOTAL	14,218,679

ESTIMATED SOURCE OF FUNDS FOR
 POLLUTION CONTROL PROGRAM
 STRIKE OUT

GENERAL FUNDS	14,178,745
INSERT IN PLACE THEREOF	
GENERAL FUNDS	13,852,098
TOTAL	14,218,679

05 HEALTH AND SOCIAL SERVICES
 02 DEPARTMENT OF HEALTH & HUMAN SERVICES
 03 DIVISION OF CHILDREN & YOUTH SERVICES
 02 BUREAU OF CHILDREN
 07 DCYS - SETTLEMENT
 STRIKE OUT

90 DCYS SETTLEMENT	16,199,171
INSERT IN PLACE THEREOF	
90 DCYS SETTLEMENT	22,109,171
TOTAL	22,109,171

ESTIMATED SOURCE OF FUNDS FOR
 DCYS - SETTLEMENT
 STRIKE OUT

FEDERAL FUNDS	600,000
STRIKE OUT	
OTHER FUNDS	3,899,793
INSERT IN PLACE THEREOF	
OTHER FUNDS	5,529,793
STRIKE OUT	
GENERAL FUNDS	11,699,378
INSERT IN PLACE THEREOF	
GENERAL FUNDS	16,579,378
TOTAL	22,109,171

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

05 GRANTS

02 OAA APTD GRANTS

STRIKE OUT

90 OAA GRANTS	989,218
---------------	---------

INSERT IN PLACE THEREOF

90 OAA GRANTS	1,105,590
---------------	-----------

STRIKE OUT

91 APTD GRANTS	6,105,600
----------------	-----------

INSERT IN PLACE THEREOF

91 APTD GRANTS	5,380,150
----------------	-----------

TOTAL	6,485,740
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ESTIMATED SOURCE OF FUNDS FOR

OAA APTD GRANTS

STRIKE OUT

OTHER FUNDS	20,000
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INSERT IN PLACE THEREOF

OTHER FUNDS	31,970
-------------	--------

STRIKE OUT

GENERAL FUNDS	3,527,409
---------------	-----------

INSERT IN PLACE THEREOF

GENERAL FUNDS	3,210,900
---------------	-----------

TOTAL	6,485,740
-------	-----------

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

05 GRANTS

05 MEDICAL

STRIKE OUT

90 PROVIDER PAYMENT	40,198,716
---------------------	------------

INSERT IN PLACE THEREOF

90 PROVIDER PAYMENT	43,287,176
---------------------	------------

TOTAL	43,327,375
-------	------------

ESTIMATED SOURCE OF FUNDS FOR MEDICAL

STRIKE OUT

FEDERAL FUNDS	20,139,557
---------------	------------

INSERT IN PLACE THEREOF

FEDERAL FUNDS	21,683,787
---------------	------------

STRIKE OUT

OTHER FUNDS	2,643,600
-------------	-----------

INSERT IN PLACE THEREOF	
OTHER FUNDS	2,606,048
STRIKE OUT	
GENERAL FUNDS	17,299,758
INSERT IN PLACE THEREOF	
GENERAL FUNDS	18,881,540
TOTAL	43,327,375

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

05 GRANTS

07 OTHER NURSING HOMES

STRIKE OUT

90 OTHER NURSING HOMES	1,125,631
------------------------	-----------

INSERT IN PLACE THEREOF

90 OTHER NURSING HOMES	1,121,916
------------------------	-----------

TOTAL	1,123,069
-------	-----------

ESTIMATED SOURCE OF FUNDS FOR

OTHER NURSING HOMES

STRIKE OUT

FEDERAL FUNDS	563,969
---------------	---------

INSERT IN PLACE THEREOF

FEDERAL FUNDS	562,112
---------------	---------

STRIKE OUT

GENERAL FUNDS	562,815
---------------	---------

INSERT IN PLACE THEREOF

GENERAL FUNDS	560,597
---------------	---------

TOTAL	1,123,069
-------	-----------

06 EDUCATION

02 BOARD OF EDUCATION

01 STATE BOARD OF EDUCATION

STRIKE OUT

70 IN-STATE TRAVEL	6,000
--------------------	-------

INSERT IN PLACE THEREOF

70 IN-STATE TRAVEL	5,000
--------------------	-------

TOTAL	19,632
-------	--------

ESTIMATED SOURCE OF FUNDS FOR

STATE BOARD OF EDUCATION

STRIKE OUT

GENERAL FUNDS	20,632
---------------	--------

INSERT IN PLACE THEREOF

GENERAL FUNDS	19,632
TOTAL	19,632

06 EDUCATION

03 DEPARTMENT OF EDUCATION

02 OFFICE OF ADMINISTRATION

01 DEPUTY COMMISSIONER

STRIKE OUT

50 OTHER PERSONAL SERVICES	200
----------------------------	-----

INSERT IN PLACE THEREOF

50 OTHER PERSONAL SERVICES	92
----------------------------	----

TOTAL	102,844
-------	---------

ESTIMATED SOURCE OF FUNDS FOR

DEPUTY COMMISSIONER

STRIKE OUT

GENERAL FUNDS	102,952
---------------	---------

INSERT IN PLACE THEREOF

GENERAL FUNDS	102,844
---------------	---------

TOTAL	102,844
-------	---------

06 EDUCATION

03 DEPARTMENT OF EDUCATION

02 OFFICE OF ADMINISTRATION

02 BUSINESS MANAGEMENT

STRIKE OUT

70 IN-STATE TRAVEL	700
--------------------	-----

INSERT IN PLACE THEREOF

70 IN-STATE TRAVEL	378
--------------------	-----

TOTAL	479,387
-------	---------

ESTIMATED SOURCE OF FUNDS FOR

BUSINESS MANAGEMENT

STRIKE OUT

GENERAL FUNDS	479,709
---------------	---------

INSERT IN PLACE THEREOF

GENERAL FUNDS	479,387
---------------	---------

TOTAL	479,387
-------	---------

06 EDUCATION

03 DEPARTMENT OF EDUCATION

02 OFFICE OF ADMINISTRATION

04 FINANCIAL AID TO DISTRICTS - STATE

02 BUILDING AID

STRIKE OUT

90 BUILDING AID	6,375,000
-----------------	-----------

INSERT IN PLACE THEREOF

90 BUILDING AID	9,529,526
-----------------	-----------

TOTAL	9,529,526
-------	-----------

ESTIMATED SOURCE OF FUNDS FOR BUILDING AID

STRIKE OUT

GENERAL FUNDS	6,375,000
---------------	-----------

INSERT IN PLACE THEREOF

GENERAL FUNDS	9,529,526
---------------	-----------

TOTAL	9,529,526
-------	-----------

06 EDUCATION

03 DEPARTMENT OF EDUCATION

03 DIVISION OF INSTRUCTION

01 GENERAL INSTRUCTION

01 INSTRUCTION - ADMINISTRATION

STRIKE OUT

20 CURRENT EXPENSES	15,701
---------------------	--------

INSERT IN PLACE THEREOF

20 CURRENT EXPENSES	14,201
---------------------	--------

STRIKE OUT

46 CONSULTANTS	7,000
----------------	-------

INSERT IN PLACE THEREOF

46 CONSULTANTS	3,500
----------------	-------

STRIKE OUT

50 OTHER PERSONAL SERVICES	2,000
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INSERT IN PLACE THEREOF

50 OTHER PERSONAL SERVICES	924
----------------------------	-----

TOTAL	184,981
-------	---------

ESTIMATED SOURCE OF FUNDS FOR

INSTRUCTION - ADMINISTRATION

STRIKE OUT

GENERAL FUNDS	191,057
---------------	---------

INSERT IN PLACE THEREOF

GENERAL FUNDS	184,981
---------------	---------

TOTAL	184,981
-------	---------

06 EDUCATION

03 DEPARTMENT OF EDUCATION

03 DIVISION OF INSTRUCTION

01 GENERAL INSTRUCTION

09 GIFTED AND TALENTED

STRIKE OUT

90 PROJECTS *	200,000
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INSERT IN PLACE THEREOF

90 PROJECTS D	175,000
---------------	---------

STRIKE OUT

*

THE FUNDS APPROPRIATED IN CLASS 90 PROJECTS
SHALL NOT BE TRANSFERRED OR EXPENDED FOR ANY
OTHER PURPOSE AND SHALL NOT LAPSE.

TOTAL	239,551
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ESTIMATED SOURCE OF FUNDS FOR

GIFTED AND TALENTED

STRIKE OUT

GENERAL FUNDS	264,551
---------------	---------

INSERT IN PLACE THEREOF

GENERAL FUNDS	239,551
---------------	---------

TOTAL	239,551
-------	---------

06 EDUCATION

03 DEPARTMENT OF EDUCATION

03 DIVISION OF INSTRUCTION

01 GENERAL INSTRUCTION

11 ALCOHOL EDUCATION

STRIKE OUT

80 OUT-OF-STATE TRAVEL	500
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INSERT IN PLACE THEREOF

80 OUT-OF-STATE TRAVEL	250
------------------------	-----

TOTAL	32,869
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ESTIMATED SOURCE OF FUNDS FOR

ALCOHOL EDUCATION

STRIKE OUT

GENERAL FUNDS	33,119
---------------	--------

INSERT IN PLACE THEREOF

GENERAL FUNDS	32,869
---------------	--------

TOTAL	32,869
-------	--------

06 EDUCATION

03 DEPARTMENT OF EDUCATION

03 DIVISION OF INSTRUCTION

01 GENERAL INSTRUCTION

12 MISSING CHILD EDUCATION PROGRAM

STRIKE OUT

90 CONFERENCES & WORKSHOPS	20,000
----------------------------	--------

INSERT IN PLACE THEREOF

90 CONFERENCES & WORKSHOPS	10,800
TOTAL	10,800

ESTIMATED SOURCE OF FUNDS FOR
MISSING CHILD EDUCATION PROGRAM
STRIKE OUT

GENERAL FUNDS	20,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	10,800
TOTAL	10,800

06 EDUCATION

03 DEPARTMENT OF EDUCATION

03 DIVISION OF INSTRUCTION

02 VOCATIONAL EDUCATION

01 VOCATIONAL EDUCATION - STATE

STRIKE OUT

46 CONSULTANTS	500
----------------	-----

INSERT IN PLACE THEREOF

46 CONSULTANTS	250
----------------	-----

STRIKE OUT

50 OTHER PERSONAL SERVICES	12,000
----------------------------	--------

INSERT IN PLACE THEREOF

50 OTHER PERSONAL SERVICES	5,542
----------------------------	-------

STRIKE OUT

70 IN-STATE TRAVEL	7,762
--------------------	-------

INSERT IN PLACE THEREOF

70 IN-STATE TRAVEL	5,822
--------------------	-------

STRIKE OUT

80 OUT-OF-STATE TRAVEL	9,000
------------------------	-------

INSERT IN PLACE THEREOF

80 OUT-OF-STATE TRAVEL	8,000
------------------------	-------

STRIKE OUT

90 AREA VOC SCH TUITION & TRANS	2,523,195
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INSERT IN PLACE THEREOF

90 AREA VOC SCH TUITION & TRANS	2,823,195
---------------------------------	-----------

TOTAL	3,317,220
-------	-----------

ESTIMATED SOURCE OF FUNDS FOR
VOCATIONAL EDUCATION - STATE
STRIKE OUT

GENERAL FUNDS	3,026,868
---------------	-----------

INSERT IN PLACE THEREOF

GENERAL FUNDS	3,317,220
---------------	-----------

TOTAL	3,317,220
-------	-----------

06 EDUCATION	
03 DEPARTMENT OF EDUCATION	
03 DIVISION OF INSTRUCTION	
03 SPECIAL EDUCATION	
01 SPECIAL EDUCATION - STATE	
STRIKE OUT	
22 RENT & LEASE OTHER THAN STATE	9,790
STRIKE OUT	
92 CATASTROPHIC COST	4,835,444
INSERT IN PLACE THEREOF	
92 CATASTROPHIC COST	7,223,567
TOTAL	7,963,488

ESTIMATED SOURCE OF FUNDS FOR	
SPECIAL EDUCATION - STATE	
STRIKE OUT	
GENERAL FUNDS	5,585,155
INSERT IN PLACE THEREOF	
GENERAL FUNDS	7,963,488
TOTAL	7,963,488

06 EDUCATION	
03 DEPARTMENT OF EDUCATION	
04 DIVISION OF STANDARDS AND CERTIFICATION	
01 STANDARDS & CERTIFICATION	
01 STANDARDS & CERTIFICATION - ADMINISTRATION	
STRIKE OUT	
70 IN-STATE TRAVEL	2,100
INSERT IN PLACE THEREOF	
70 IN-STATE TRAVEL	1,932
STRIKE OUT	
80 OUT-OF-STATE TRAVEL	2,000
INSERT IN PLACE THEREOF	
80 OUT-OF-STATE TRAVEL	1,600
TOTAL	162,244

ESTIMATED SOURCE OF FUNDS FOR	
STANDARDS & CERTIFICATION - ADMINISTRATION	
STRIKE OUT	
GENERAL FUNDS	162,812
INSERT IN PLACE THEREOF	
GENERAL FUNDS	162,244
TOTAL	162,244

06 EDUCATION
03 DEPARTMENT OF EDUCATION

04 DIVISION OF STANDARDS AND CERTIFICATION

01 STANDARDS & CERTIFICATION

08 SCHOOL APPROVAL SECTION

STRIKE OUT

30 EQUIPMENT	300
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INSERT IN PLACE THEREOF

30 EQUIPMENT	150
--------------	-----

STRIKE OUT

70 IN-STATE TRAVEL	2,000
--------------------	-------

INSERT IN PLACE THEREOF

70 IN-STATE TRAVEL	1,380
--------------------	-------

STRIKE OUT

90 CONFERENCES & WORKSHOPS	1,000
----------------------------	-------

INSERT IN PLACE THEREOF

90 CONFERENCES & WORKSHOPS	560
----------------------------	-----

TOTAL	124,750
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ESTIMATED SOURCE OF FUNDS FOR

SCHOOL APPROVAL SECTION

STRIKE OUT

GENERAL FUNDS	125,960
---------------	---------

INSERT IN PLACE THEREOF

GENERAL FUNDS	124,750
---------------	---------

TOTAL	124,750
-------	---------

06 EDUCATION

03 DEPARTMENT OF EDUCATION

04 DIVISION OF STANDARDS AND CERTIFICATION

02 FOOD & NUTRITION

01 FOOD AND NUTRITION - STATE

STRIKE OUT

46 CONSULTANTS	4,000
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INSERT IN PLACE THEREOF

46 CONSULTANTS	2,470
----------------	-------

STRIKE OUT

70 IN-STATE TRAVEL	1,150
--------------------	-------

INSERT IN PLACE THEREOF

70 IN-STATE TRAVEL	497
--------------------	-----

STRIKE OUT

98 DEVELOPMENT TRAINING	500
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INSERT IN PLACE THEREOF

98 DEVELOPMENT TRAINING	15
-------------------------	----

TOTAL	83,475
-------	--------

ESTIMATED SOURCE OF FUNDS FOR
FOOD AND NUTRITION - STATE
STRIKE OUT

GENERAL FUNDS	86,143
INSERT IN PLACE THEREOF	
GENERAL FUNDS	83,475
TOTAL	83,475

06 EDUCATION

03 DEPARTMENT OF EDUCATION

04 DIVISION OF STANDARDS AND CERTIFICATION

04 TEACHER EDUCATION & CERTIFICATION

02 PROGRAM DEVELOPMENT

STRIKE OUT

70 IN-STATE TRAVEL	3,000
INSERT IN PLACE THEREOF	
70 IN-STATE TRAVEL	2,250
TOTAL	93,964

ESTIMATED SOURCE OF FUNDS FOR
PROGRAM DEVELOPMENT

STRIKE OUT

GENERAL FUNDS	94,714
INSERT IN PLACE THEREOF	
GENERAL FUNDS	93,964
TOTAL	93,964

06 EDUCATION

03 DEPARTMENT OF EDUCATION

05 DIVISION OF VOCATIONAL REHABILITATION

02 PROGRAM SERVICES

05 DISABLED WORKERS ADAPTIVE EQUIPMENT

STRIKE OUT

90 TELECOMMUNICATIONS EQUIPMENT	5,000
INSERT IN PLACE THEREOF	
90 TELECOMMUNICATIONS EQUIPMENT	4,980
TOTAL	9,980

ESTIMATED SOURCE OF FUNDS FOR
DISABLED WORKERS ADAPTIVE EQUIPMENT

STRIKE OUT

GENERAL FUNDS	10,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	9,980
TOTAL	9,980

06 EDUCATION	
03 DEPARTMENT OF EDUCATION	
05 DIVISION OF VOCATIONAL REHABILITATION	
02 PROGRAM SERVICES	
06 WORKERS PERSONAL CARE ATTENDENT	
STRIKE OUT	
90 GRANTS	7,300
INSERT IN PLACE THEREOF	
90 GRANTS	50
TOTAL	50

ESTIMATED SOURCE OF FUNDS FOR	
WORKERS PERSONAL CARE ATTENDENT	
STRIKE OUT	
GENERAL FUNDS	7,300
INSERT IN PLACE THEREOF	
GENERAL FUNDS	50
TOTAL	50

06 EDUCATION	
03 DEPARTMENT OF EDUCATION	
05 DIVISION OF VOCATIONAL REHABILITATION	
03 CLIENT SERVICES	
03 FIELD PROGRAMS - STATE	
STRIKE OUT	
20 CURRENT EXPENSES	5,423
INSERT IN PLACE THEREOF	
20 CURRENT EXPENSES	5,035
STRIKE OUT	
70 IN-STATE TRAVEL	8,400
INSERT IN PLACE THEREOF	
70 IN-STATE TRAVEL	4,900
TOTAL	77,722

ESTIMATED SOURCE OF FUNDS FOR	
FIELD PROGRAMS - STATE	
STRIKE OUT	
GENERAL FUNDS	81,610
INSERT IN PLACE THEREOF	
GENERAL FUNDS	77,722
TOTAL	77,722

06 EDUCATION
03 DEPARTMENT OF EDUCATION
05 DIVISION OF VOCATIONAL REHABILITATION

04 SERVICES FOR THE BLIND

01 BLIND PROGRAM - STATE

STRIKE OUT

20 CURRENT EXPENSES	13,020
INSERT IN PLACE THEREOF	
20 CURRENT EXPENSES	11,020
STRIKE OUT	
70 IN-STATE TRAVEL	8,666
INSERT IN PLACE THEREOF	
70 IN-STATE TRAVEL	7,666
TOTAL	204,543

ESTIMATED SOURCE OF FUNDS FOR

BLIND PROGRAM - STATE

STRIKE OUT

GENERAL FUNDS	207,543
INSERT IN PLACE THEREOF	
GENERAL FUNDS	204,543
TOTAL	204,543

06 EDUCATION

06 HIGHER EDUCATION FUND

01 UNH - DURHAM

STRIKE OUT

90 UNH - DURHAM	134,949,000
INSERT IN PLACE THEREOF	
90 UNH - DURHAM	134,019,840
TOTAL	134,019,840

ESTIMATED SOURCE OF FUNDS FOR UNH - DURHAM

STRIKE OUT

GENERAL FUNDS	30,972,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	30,042,840
TOTAL	134,019,840

06 EDUCATION

06 HIGHER EDUCATION FUND

02 KEENE STATE COLLEGE

STRIKE OUT

90 KEENE STATE COLLEGE	26,045,000
INSERT IN PLACE THEREOF	
90 KEENE STATE COLLEGE	25,844,200
TOTAL	25,844,200

ESTIMATED SOURCE OF FUNDS FOR
KEENE STATE COLLEGE
STRIKE OUT

GENERAL FUNDS	6,696,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	6,495,120
TOTAL	25,844,200

06 EDUCATION

06 HIGHER EDUCATION FUND

03 PLYMOUTH STATE COLLEGE

STRIKE OUT

90 PLYMOUTH STATE COLLEGE	26,165,000
INSERT IN PLACE THEREOF	
90 PLYMOUTH STATE COLLEGE	25,942,490
TOTAL	25,942,490

ESTIMATED SOURCE OF FUNDS FOR
PLYMOUTH STATE COLLEGE

STRIKE OUT

GENERAL FUNDS	7,417,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	7,194,490
TOTAL	25,942,490

06 EDUCATION

06 HIGHER EDUCATION FUND

04 UNH - MANCHESTER

STRIKE OUT

90 UNH - MANCHESTER	2,755,000
INSERT IN PLACE THEREOF	
90 UNH - MANCHESTER	2,726,260
TOTAL	2,726,260

ESTIMATED SOURCE OF FUNDS FOR
UNH - MANCHESTER

STRIKE OUT

GENERAL FUNDS	958,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	929,260
TOTAL	2,726,260

06 EDUCATION

06 HIGHER EDUCATION FUND

05 SCHOOL OF LIFELONG LEARNING

STRIKE OUT

90 SCHOOL OF LIFELONG LEARNING	3,445,000
INSERT IN PLACE THEREOF	
90 SCHOOL OF LIFELONG LEARNING	3,423,070
TOTAL	3,423,070

ESTIMATED SOURCE OF FUNDS FOR
SCHOOL OF LIFELONG LEARNING
STRIKE OUT

GENERAL FUNDS	731,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	709,070
TOTAL	3,423,070

06 EDUCATION

06 HIGHER EDUCATION FUND

06 UNH - CONSULTING CENTER

STRIKE OUT

90 UNH - CONSULTING CENTER	1,478,000
INSERT IN PLACE THEREOF	
90 UNH - CONSULTING CENTER	1,474,070
TOTAL	1,474,070

ESTIMATED SOURCE OF FUNDS FOR
UNH - CONSULTING CENTER
STRIKE OUT

GENERAL FUNDS	131,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	127,070
TOTAL	1,474,070

06 EDUCATION

06 HIGHER EDUCATION FUND

07 AGRICULTURAL EXPERIMENT STATION

STRIKE OUT

90 AGRICULTURAL EXPERIMENT STATION	3,385,000
INSERT IN PLACE THEREOF	
90 AGRICULTURAL EXPERIMENT STATION	3,323,470
TOTAL	3,323,470

ESTIMATED SOURCE OF FUNDS FOR
AGRICULTURAL EXPERIMENT STATION
STRIKE OUT

GENERAL FUNDS	2,051,000
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INSERT IN PLACE THEREOF

GENERAL FUNDS	1,989,470
TOTAL	3,323,470

06 EDUCATION

06 HIGHER EDUCATION FUND

08 MARINE RESEARCH & DEVELOPMENT

STRIKE OUT

90 MARINE RESEARCH & DEVELOPMENT	716,000
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INSERT IN PLACE THEREOF

90 MARINE RESEARCH & DEVELOPMENT	694,520
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TOTAL	694,520
-------	---------

ESTIMATED SOURCE OF FUNDS FOR

MARINE RESEARCH & DEVELOPMENT

STRIKE OUT

GENERAL FUNDS	716,000
---------------	---------

INSERT IN PLACE THEREOF

GENERAL FUNDS	694,520
---------------	---------

TOTAL	694,520
-------	---------

06 EDUCATION

06 HIGHER EDUCATION FUND

09 UNH COOP EXTENSION SERVICE

STRIKE OUT

90 UNH COOP EXTENSION SERVICE	2,550,000
-------------------------------	-----------

INSERT IN PLACE THEREOF

90 UNH COOP EXTENSION SERVICE	2,508,720
-------------------------------	-----------

TOTAL	2,508,720
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ESTIMATED SOURCE OF FUNDS FOR

UNH COOP EXTENSION SERVICE

STRIKE OUT

GENERAL FUNDS	1,376,000
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INSERT IN PLACE THEREOF

GENERAL FUNDS	1,334,720
---------------	-----------

TOTAL	2,508,720
-------	-----------

06 EDUCATION

06 HIGHER EDUCATION FUND

11 EXTENSION WORK IN COUNTIES

STRIKE OUT

90 EXTENSION WORK IN COUNTIES	1,743,000
-------------------------------	-----------

INSERT IN PLACE THEREOF

90 EXTENSION WORK IN COUNTIES	1,726,290
-------------------------------	-----------

TOTAL	1,726,290
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ESTIMATED SOURCE OF FUNDS FOR
EXTENSION WORK IN COUNTIES
STRIKE OUT

GENERAL FUNDS	557,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	540,290
TOTAL	1,726,290

06 EDUCATION

06 HIGHER EDUCATION FUND

12 N H PUBLIC TELEVISION

STRIKE OUT

90 N H PUBLIC TELEVISION	5,079,820
INSERT IN PLACE THEREOF	
90 N H PUBLIC TELEVISION	5,027,820
TOTAL	5,027,820

ESTIMATED SOURCE OF FUNDS FOR
N H PUBLIC TELEVISION

STRIKE OUT

GENERAL FUNDS	1,706,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	1,654,820
TOTAL	5,027,820

06 EDUCATION

06 HIGHER EDUCATION FUND

13 KEENE STATE - BD OF EDUCATION

STRIKE OUT

90 KEENE STATE - BD OF EDUCATION	641,000
INSERT IN PLACE THEREOF	
90 KEENE STATE - BD OF EDUCATION	629,630
TOTAL	629,630

ESTIMATED SOURCE OF FUNDS FOR
KEENE STATE - BD OF EDUCATION

STRIKE OUT

GENERAL FUNDS	379,000
INSERT IN PLACE THEREOF	
GENERAL FUNDS	367,630
TOTAL	629,630

2 REDUCTIONS. THE TOTAL OF THE FUNDS AVAILABLE FOR FISCAL YEAR 1989 IN THE FOLLOWING PAU'S, RECEIVED FROM WHATEVER SOURCE, SHALL BE REDUCED IN THE AMOUNTS SPECIFIED:

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

15 DEPARTMENT OF SAFETY

03 DIVISION OF SAFETY SERVICES

01 DIV OF SAFETY WATERCRAFT SAFETY

90 SAFETY INSPECTOR BOAT RENTAL 9,774

92 DOCK STUDY 2,822

93 MOORING ENFORCEMENT 12,295

94 GLENDALE REPAIR 149,422

TOTAL 174,313

ESTIMATED SOURCE OF FUNDS FOR

DIV SAFETY WATERCRAFT SAFETY

GENERAL FUND 174,313

TOTAL 174,313

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

13 LIQUOR COMMISSION

04 MERCHANDISING

02 STORES

01 STORES

47 MAINTENANCE BUILD&GRNDS G 4,849

48 CONTRACT MAINTENANCE G 67,424

90 RELOCATION 662,829

98 RELOCATION * 114,767

TOTAL 849,869

ESTIMATED SOURCE OF FUNDS FOR STORES

GENERAL FUND 849,869

TOTAL 849,869

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

01 HEALTH AND HUMAN SVCS COMMISSIONER

01 ADMINISTRATION

20 CURRENT EXPENSES 200

80 OUT-OF-STATE TRAVEL 200

420 CURRENT EXPENSES - OLD YEAR 1,747

TOTAL 2,147

ESTIMATED SOURCE OF FUNDS FOR

ADMINISTRATION

GENERAL FUNDS 2,147

TOTAL 2,147

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
01 HEALTH AND HUMAN SVCS COMMISSIONER	
02 OFFICE OF PLANNING & POLICY DEV	
20 CURRENT EXPENSES	787
70 IN-STATE TRAVEL	737
420 CURRENT EXPENSES - OLD YEAR	1,662
TOTAL	3,186

ESTIMATED SOURCE OF FUNDS FOR	
OFFICE OF PLANNING & POLICY DEV	
GENERAL FUNDS	3,186
TOTAL	3,186

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
01 HEALTH AND HUMAN SVCS COMMISSIONER	
03 ALCOHOL AND DRUG ABUSE PREVENTION	
01 ADMINISTRATION & SUPPORT	
50 OTHER PERSONAL SERVICES	576
90 EDUCATIONAL TRAINING	1,237
TOTAL	1,813

ESTIMATED SOURCE OF FUNDS FOR	
ADMINISTRATION & SUPPORT	
GENERAL FUNDS	1,813
TOTAL	1,813

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
01 HEALTH AND HUMAN SVCS COMMISSIONER	
03 ALCOHOL AND DRUG ABUSE PREVENTION	
2 TREATMENT & PREVENTION - STATE	
70 IN-STATE TRAVEL	3,595
493 OTHER EXPENDITURES	3,926
497 OTHER EXPENDITURES-OYR	1,749
TOTAL	9,270

ESTIMATED SOURCE OF FUNDS FOR	
TREATMENT & PREVENTION - STATE	
GENERAL FUNDS	9,270
TOTAL	9,270

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
01 HEALTH AND HUMAN SVCS COMMISSIONER	

03 ALCOHOL AND DRUG ABUSE PREVENTION	
04 TIRRELL HOUSE	
20 CURRENT EXPENSE	702
50 OTHER PERSONAL SERVICES	594
80 OUT-OF-STATE TRAVEL	792
TOTAL	2,088

ESTIMATED SOURCE OF FUNDS FOR TIRRELL HOUSE	
GENERAL FUNDS	2,088
TOTAL	2,088

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
01 ADMINISTRATION & SUPPORT	
01 OFFICE OF DIRECTOR	
50 OTHER PERSONAL SERVICES	1,499
80 OUT-OF-STATE TRAVEL	501
TOTAL	2,000

ESTIMATED SOURCE OF FUNDS FOR	
OFFICE OF DIRECTOR	
GENERAL FUNDS	2,000
TOTAL	2,000

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
01 ADMINISTRATION & SUPPORT	
02 BUSINESS MANAGEMENT	
40 INDIRECT COSTS E	6,889
70 IN-STATE TRAVEL	250
80 OUT-OF-STATE TRAVEL	25
TOTAL	7,164

ESTIMATED SOURCE OF FUNDS FOR	
BUSINESS MANAGEMENT	
GENERAL FUNDS	7,164
TOTAL	7,164

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
01 ADMINISTRATION & SUPPORT	
03 INFORMATION SERVICES	
29 TRANSFERS TO INFO SERVICES A	6,000
40 INDIRECT COSTS E	6,181

46 CONSULTANTS	3,500
80 OUT-OF-STATE TRAVEL	1,008
92 TRAINING	1,196
93 STATISTICAL PROCESS/COLLECTION	2,685
TOTAL	20,570

ESTIMATED SOURCE OF FUNDS FOR
INFORMATION SERVICES

GENERAL FUNDS	20,570
TOTAL	20,570

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

02 HEALTH PROTECTION

02 FACILITIES LICENSING

40 INDIRECT COSTS E	4,794
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TOTAL	4,794
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ESTIMATED SOURCE OF FUNDS FOR
FACILITIES LICENSING

GENERAL FUNDS	4,794
TOTAL	4,794

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

02 HEALTH PROTECTION

03 EMERGENCY MEDICAL SERVICES

40 INDIRECT COSTS E	1,042
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46 CONSULTANTS	599
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70 IN-STATE TRAVEL	282
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90 STATE COORDINATION	451
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92 TRAINING	3,556
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TOTAL	5,930
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ESTIMATED SOURCE OF FUNDS FOR
EMERGENCY MEDICAL SERVICES

GENERAL FUNDS	5,930
TOTAL	5,930

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

02 HEALTH PROTECTION

04 HEALTH SERVICES REVIEW	
46 CONSULTANTS	7,322
50 OTHER PERSONAL SERVICES	1,533
70 IN-STATE TRAVEL	871
92 GRANTS	520
492 OTHER EXPENDITURES-OYR	2,746
TOTAL	12,992

ESTIMATED SOURCE OF FUNDS FOR
HEALTH SERVICES REVIEW

GENERAL FUNDS	12,992
TOTAL	12,992

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
02 HEALTH PROTECTION	
05 HEALTH PROMOTION	
40 INDIRECT COSTS E	1,696
46 CONSULTANTS	207
80 OUT-OF-STATE TRAVEL	264
90 TRAINING	1,949
420 CURRENT EXPENSES - OLD YEAR	119
492 OTHER EXPENDITURES-OYR	2,204
TOTAL	6,439

ESTIMATED SOURCE OF FUNDS FOR
HEALTH PROMOTION

GENERAL FUNDS	6,439
TOTAL	6,439

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
02 HEALTH PROTECTION	
07 CHILD CARE STDS & LICENSING	
30 EQUIPMENT	418
70 IN-STATE TRAVEL	271
92 CONTRACTS	224
TOTAL	913

ESTIMATED SOURCE OF FUNDS FOR
CHILD CARE STDS & LICENSING

GENERAL FUNDS	913
TOTAL	913

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
03 DISEASE PREVENTION & CONTROL	
01 DISEASE PREV & CONTROL ADMIN	
40 INDIRECT COSTS E	8,647
70 IN-STATE TRAVEL	440
80 OUT-OF-STATE TRAVEL	465
93 TRAINING	182
TOTAL	9,734

ESTIMATED SOURCE OF FUNDS FOR	
DISEASE PREV & CONTROL ADMIN	
GENERAL FUNDS	9,734
TOTAL	9,734

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
03 DISEASE PREVENTION & CONTROL	
02 DISEASE CONTROL	
30 EQUIPMENT	1,756
40 INDIRECT COSTS E	13,577
50 OTHER PERSONAL SERVICES	2,752
70 IN-STATE TRAVEL	1,804
80 OUT-OF-STATE TRAVEL	3,375
96 PATIENT CARE	6,810
420 CURRENT EXPENSES-OYR	926
TOTAL	31,000

ESTIMATED SOURCE OF FUNDS FOR	
DISEASE CONTROL	
GENERAL FUNDS	31,000
TOTAL	31,000

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
02 DIVISION OF PUBLIC HEALTH SERVICES	
03 DISEASE PREVENTION & CONTROL	
03 PUBLIC HEALTH LABORATORIES	
40 INDIRECT COSTS E	8,692
70 IN-STATE TRAVEL	874
80 OUT-OF-STATE TRAVEL	1,060
93 TRAINING	580
420 CURRENT EXPENSES-OYR	2,315
TOTAL	13,521

ESTIMATED SOURCE OF FUNDS FOR
PUBLIC HEALTH LABORATORIES

GENERAL FUNDS	13,521
TOTAL	13,521

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

03 DISEASE PREVENTION & CONTROL

04 ENVIRONMENTAL HEALTH

40 INDIRECT COSTS E	28,775
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80 OUT-OF-STATE TRAVEL	244
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TOTAL	29,019
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ESTIMATED SOURCE OF FUNDS FOR
ENVIRONMENTAL HEALTH

GENERAL FUNDS	29,019
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TOTAL	29,019
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

03 DISEASE PREVENTION & CONTROL

05 VACCINATION PROGRAM

40 INDIRECT COSTS E	3,315
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70 IN-STATE TRAVEL	1,165
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80 OUT-OF-STATE TRAVEL	133
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TOTAL	4,613
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ESTIMATED SOURCE OF FUNDS FOR
VACCINATION PROGRAM

GENERAL FUNDS	4,613
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TOTAL	4,613
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

03 DISEASE PREVENTION & CONTROL

06 STD PROGRAM

40 INDIRECT COSTS E	3,403
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59 FLL TM TEMP FISCL COM. & G&C APPR	3,563
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70 IN-STATE TRAVEL	251
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TOTAL	7,217
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ESTIMATED SOURCE OF FUNDS FOR STD PROGRAM

FEDERAL FUNDS	2,744
GENERAL FUNDS	4,473
TOTAL	7,217

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

04 FAMILY AND COMMUNITY HEALTH

01 FAMILY AND COMMUNITY HEALTH ADM

40 INDIRECT COSTS E	2,737
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70 IN-STATE TRAVEL	116
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420 CURRENT EXPENSES-OYR	81
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TOTAL	2,934
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ESTIMATED SOURCE OF FUNDS FOR

GENERAL FUNDS	2,934
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TOTAL	2,934
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

04 FAMILY AND COMMUNITY HEALTH

02 MATERNAL AND CHILD HEALTH

30 EQUIPMENT	1,205
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46 CONSULTANTS	759
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70 IN-STATE TRAVEL	633
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90 TRAINING	2,040
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96 PATIENT CARE	693
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492 OTHER EXPENDITURES-OYR	1,206
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TOTAL	6,536
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ESTIMATED SOURCE OF FUNDS FOR

MATERNAL AND CHILD HEALTH

GENERAL FUNDS	6,536
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TOTAL	6,536
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

04 FAMILY AND COMMUNITY HEALTH

03 SPECIAL MEDICAL SERVICES

30 EQUIPMENT	1,283
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59 FLL TM TEMP FISCL COM. & G&C APPR	7,531
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420 CURRENT EXPENSES-OYR	31
492 OTHER EXPENDITURES-OYR	4,045
TOTAL	12,890

ESTIMATED SOURCE OF FUNDS FOR
SPECIAL MEDICAL SERVICES

GENERAL FUNDS	12,890
TOTAL	12,890

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

04 FAMILY AND COMMUNITY HEALTH

04 DENTAL HEALTH

30 EQUIPMENT	5,236
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40 INDIRECT COSTS E	10,928
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50 OTHER PERSONAL SERVICES	3,905
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80 OUT-OF-STATE TRAVEL	1,703
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TOTAL	21,772
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ESTIMATED SOURCE OF FUNDS FOR DENTAL HEALTH

GENERAL FUNDS	21,772
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TOTAL	21,772
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

04 FAMILY AND COMMUNITY HEALTH

06 FAMILY PLANNING PROGRAM

80 OUT-OF-STATE TRAVEL	210
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90 STAFF TRAINING & DEVELOPMENT	122
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TOTAL	332
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ESTIMATED SOURCE OF FUNDS FOR
FAMILY PLANNING PROGRAM

GENERAL FUNDS	332
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TOTAL	332
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

02 DIVISION OF PUBLIC HEALTH SERVICES

05 HEALTH RISK ASSESSMENT

30 EQUIPMENT	11,056
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40 INDIRECT COSTS E	11,152
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70 IN-STATE TRAVEL	740
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94 SAFETY SUPPLIES	5,531
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TOTAL	28,479
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ESTIMATED SOURCE OF FUNDS FOR
HEALTH RISK ASSESSMENT

GENERAL FUNDS	28,479
TOTAL	28,479

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HUMAN HEALTH & SERVICES

03 DIVISION FOR CHILDREN & YOUTH SERVICES

01 OFFICE OF DIRECTOR

01 OFFICE OF DIRECTOR - CHILDREN & YOUTH

28 TRANSFERS TO GENERAL SERVICES	10,814
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TOTAL	10,814
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ESTIMATED SOURCE OF FUNDS FOR

OFFICE OF DIRECTOR - CHILDREN & YOUTH

GENERAL FUND	10,814
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TOTAL	10,814
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HUMAN HEALTH & SERVICES

03 DIVISION FOR CHILDREN & YOUTH SERVICES

01 OFFICE OF DIRECTOR

02 JUVENILE JUSTICE PROGRAM

50 PERSONAL SERVICES	8,500
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TOTAL	8,500
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ESTIMATED SOURCE OF FUNDS FOR

JUVENILE JUSTICE PROGRAM

OTHER	2245
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GENERAL FUND	6,255
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TOTAL	8,500
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HUMAN HEALTH & SERVICES

03 DIVISION FOR CHILDREN & YOUTH SERVICES

02 BUREAU OF CHILDREN

07 DCYS - SETTLEMENT

490 OLD YEAR RESERVE	25,474
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TOTAL	25,474
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ESTIMATED SOURCE OF FUNDS FOR

DCYS - SETTLEMENT

05 PRIVATE OR LOCAL FUNDS	11,719
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GENERAL FUND	13,755
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TOTAL	25,474
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05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
04 BUREAU OF PLANNING, TRAINING, ETC.	
491 OYR	1000
TOTAL	1,000

ESTIMATED SOURCE OF FUNDS FOR	
BUREAU OF PLANNING, TRAINING, ETC.	
GENERAL FUND	1,000
TOTAL	1,000

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
05 BUREAU OF RESIDENTIAL SERVICES	
01 ADMINISTRATION	
80 OUT-OF-STATE TRAVEL	500
420 CURRENT EXPENSES OYR	343
TOTAL	843

ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION	
GENERAL FUND	843
TOTAL	843

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
05 BUREAU OF RESIDENTIAL SERVICES	
03 OPERATION AND MAINTENANCE	
23 HEAT, ELECTRICITY & WATER	19,000
47 OWN MAINT BLDGS & GROUNDS	1,000
48 CONT. MAINT BLDGS & GROUNDS	4,200
420 CURRENT EXPENSE - OYR	138
423 CURRENT EXPENSE - OYR	2,981
TOTAL	27,319

ESTIMATED SOURCE OF FUNDS FOR	
OPERATION AND MAINTENANCE	
GENERAL FUND	27,319
TOTAL	27,319

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	

05 BUREAU OF RESIDENTIAL SERVICES	
04 REHABILITATION PROGRAMS	
93 TRANSPORT OF STUDENTS	1,500
420 CURRENT EXPENSES - OYR	266
490 OTHER EXPENDITURES	94
495 OTHER EXPENDITURES	694
TOTAL	2,554

ESTIMATED SOURCE OF FUNDS FOR
REHABILITATION PROGRAMS

06 REVENUE	1,162
GENERAL FUND	1,392
TOTAL	2,554

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
05 BUREAU OF RESIDENTIAL SERVICES	
06 FRIENDSHIP HOUSE	
23 HEAT, ELECTRICITY & WATER	1,500
TOTAL	1,500

ESTIMATED SOURCE OF FUNDS FOR
FRIENDSHIP HOUSE

GENERAL FUND	1,500
TOTAL	1,500

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
05 BUREAU OF RESIDENTIAL SERVICES	
07 REHABILITATIVE EDUCATION	
420 CURRENT EXPENSES - OYR	179
TOTAL	179

ESTIMATED SOURCE OF FUNDS FOR
REHABILITATIVE EDUCATION

05 PRIVATE AND LOCAL FUNDS	54
GENERAL FUND	125
TOTAL	179

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
05 BUREAU OF RESIDENTIAL SERVICES	
09 PAROLE	

20 CURRENT EXPENSES	700
470 IN-STATE TRAVEL - OYR	391
TOTAL	1,091

ESTIMATED SOURCE OF FUNDS FOR PAROLE	
GENERAL FUND	1,091
TOTAL	1,091

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
05 BUREAU OF RESIDENTIAL SERVICES	
10 PHILBROOK CENTER - ADMINISTRATION	
20 CURRENT EXPENSE	6,065
21 FOOD INSTITUTIONS	41,334
50 OTHER PERSONAL SERVICES	4,840
70 IN-STATE TRAVEL	1,475
80 OUT-OF-STATE TRAVEL	3,325
94 EDUCATIONAL MATERIALS	2,216
98 YOUTH BENEFIT FUND	9,800
420 OYR	278
421 OYR	8
423 OYR	3
498 OYR	189
TOTAL	69,533

ESTIMATED SOURCE OF FUNDS FOR	
PHILBROOK CENTER - ADMINISTRATION	
GENERAL FUND	69,533
TOTAL	69,533

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	
05 BUREAU OF RESIDENTIAL SERVICES	
11 IN-PATIENT UNIT	
446 OYR	40
TOTAL	40

ESTIMATED SOURCE OF FUNDS FOR IN-PATIENT UNIT	
GENERAL FUND	40
TOTAL	40

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HUMAN HEALTH & SERVICES	
03 DIVISION FOR CHILDREN & YOUTH SERVICES	

05 BUREAU OF RESIDENTIAL SERVICES

12 ADC UNIT

446 OYR 1,636

TOTAL 1,636

ESTIMATED SOURCE OF FUNDS FOR ADC UNIT

OTHER 409

GENERAL FUND 1,227

TOTAL 1,636

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HUMAN HEALTH & SERVICES

03 DIVISION FOR CHILDREN & YOUTH SERVICES

05 BUREAU OF RESIDENTIAL SERVICES

13 SPECIAL ED PROGRAM

50 OTHER PERSONAL SERVICES 7,000

TOTAL 7,000

ESTIMATED SOURCE OF FUNDS FOR

SPECIAL ED PROGRAM

OTHER FUNDS 5,110

GENERAL FUND 1,890

TOTAL 7,000

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HUMAN HEALTH & SERVICES

03 DIVISION FOR CHILDREN & YOUTH SERVICES

06 FEMALE RESIDENTIAL CENTER

90 FEMALE RESIDENTIAL CENTER 27,582

490 FEMALE RESIDENTIAL CENTER - OYR 108,032

TOTAL 135,614

ESTIMATED SOURCE OF FUNDS FOR

FEMALE RESIDENTIAL CENTER

GENERAL FUNDS 101,324

OTHER FUNDS 34,290

TOTAL 135,614

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

01 DIRECTORS OFFICE

01 ADMINISTRATION

70 IN-STATE TRAVEL 40,157

TOTAL 40,157

ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION

GENERAL FUNDS	22,396
FEDERAL FUNDS	17,761
TOTAL	40,157

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

02 PROGRAM OPERATIONS

02 ECONOMIC SERVICES

91 COUPON ISSUANCE	7,831
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TOTAL	7,831
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ESTIMATED SOURCE OF FUNDS FOR

ECONOMIC SERVICES

GENERAL FUNDS	3,916
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FEDERAL FUNDS	3,915
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TOTAL	7,831
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

02 PROGRAM OPERATIONS

03 MEDICAL SERVICES

46 CONSULTANTS	29,668
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96 PHYSICAL EXAMS	5,656
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TOTAL	35,324
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ESTIMATED SOURCE OF FUNDS FOR

MEDICAL SERVICES

GENERAL FUNDS	20,490
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FEDERAL FUNDS	14,834
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TOTAL	35,324
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

02 PROGRAM OPERATIONS

05 SUPPORT ENFORCEMENT

70 IN-STATE TRAVEL	4,100
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TOTAL	4,100
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ESTIMATED SOURCE OF FUNDS FOR
SUPPORT ENFORCEMENT

GENERAL FUNDS	1,230
FEDERAL FUNDS	2,870
TOTAL	4,100

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

03 FIELD OPERATIONS

01 ADMINISTRATION

30 EQUIPMENT 1,006

70 IN-STATE TRAVEL 2,403

TOTAL 3,409

ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION

GENERAL FUNDS 2,279

FEDERAL FUNDS 1,130

TOTAL 3,409

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

04 SUPPORT OPERATIONS

01 ADMINISTRATION

40 INDIRECT COSTS 294,805

70 IN-STATE TRAVEL 18,245

TOTAL 313,050

ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION

GENERAL FUNDS 219,171

FEDERAL FUNDS 93,879

TOTAL 313,050

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

04 DIVISION OF HUMAN SERVICES

04 SUPPORT OPERATIONS

03 MANAGEMENT SYSTEMS

30 EQUIPMENT 1,224

90 OTHER SYSTEMS COST 55,032

TOTAL 56,256

ESTIMATED SOURCE OF FUNDS FOR
MANAGEMENT SYSTEMS

GENERAL FUNDS	30,786
FEDERAL FUNDS	25,470
TOTAL	56,256

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

05 DIVISION OF MENTAL HEALTH

01 ADMINISTRATION

02 ADMINISTRATION AND SUPPORT

446 CONSULTANTS	2,620
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498 OTHER EXPENDITURES-OYR	11,770
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TOTAL	14,390
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ESTIMATED SOURCE OF FUNDS FOR
OFFICE OF DIRECTOR

GENERAL FUNDS	14,390
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TOTAL	14,390
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

05 DIVISION OF MENTAL HEALTH

01 ADMINISTRATION

03 EVALUATION AND QUALITY ASSURANCE

446 CONSULTANTS	729
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TOTAL	729
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ESTIMATED SOURCE OF FUNDS FOR
EVALUATION AND QUALITY ASSURANCE

GENERAL FUNDS	729
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TOTAL	729
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

05 DIVISION OF MENTAL HEALTH

01 ADMINISTRATION

06 PUBLIC EDUCATION

420 CURRENT EXPENSES	4,477
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TOTAL	4,477
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ESTIMATED SOURCE OF FUNDS FOR
PUBLIC EDUCATION

GENERAL FUNDS	4,477
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TOTAL	4,477
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05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
05 DIVISION OF MENTAL HEALTH	
01 ADMINISTRATION	
08 CLIENT AND LEGAL SERVICES	
496 OTHER EXPENDITURES	38,365
TOTAL	38,365

ESTIMATED SOURCE OF FUNDS FOR	
CLIENT AND LEGAL SERVICES	
GENERAL FUNDS	38,365
TOTAL	38,365

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
05 DIVISION OF MENTAL HEALTH	
02 GLENCLIFF HOME FOR THE ELDERLY	
03 MAINTENANCE	
423 CURRENT EXPENSES-OYR	2,325
448 CLASS NAME OPEN	1,400
TOTAL	3,725

ESTIMATED SOURCE OF FUNDS FOR MAINTENANCE	
GENERAL FUNDS	3,725
TOTAL	3,725

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
05 DIVISION OF MENTAL HEALTH	
03 LACONIA STATE SCHOOL	
02 FINANCIAL MGMT/SUPPORT SERVICES	
420 CURRENT EXPENSES-OYR	5,701
421 CURRENT EXPENSES	351
423 CURRENT EXPENSES-OYR	52,386
446 CONSULTANTS	2,500
448 CLASS NAME OPEN	4,951
TOTAL	65,889

ESTIMATED SOURCE OF FUNDS FOR	
FINANCIAL MGMT/SUPPORT SERVICES	
GENERAL FUNDS	65,889
TOTAL	65,889

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
05 DIVISION OF MENTAL HEALTH	

03 LACONIA STATE SCHOOL	
04 HABILITATIVE SERVICES	
430 EQUIPMENT-OYR	2,500
TOTAL	2,500

ESTIMATED SOURCE OF FUNDS FOR	
HABILITATIVE SERVICES	
GENERAL FUNDS	2,500
TOTAL	2,500

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
05 DIVISION OF MENTAL HEALTH	
03 LACONIA STATE SCHOOL	
05 HEALTH SERVICES	
20 CURRENT EXPENSES-OYR	2,820
TOTAL	2,820

ESTIMATED SOURCE OF FUNDS FOR	
HEALTH SERVICES	
GENERAL FUNDS	2,820
TOTAL	2,820

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
05 DIVISION OF MENTAL HEALTH	
04 NEW HAMPSHIRE HOSPITAL	
01 ADMINISTRATION	
430 EQUIPMENT-OYR	6,906
446 CONSULTANTS	11,823
491 OTHER EXPENDITURES	367
TOTAL	19,096

ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION	
GENERAL FUNDS	19,096
TOTAL	19,096

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
05 DIVISION OF MENTAL HEALTH	
04 NEW HAMPSHIRE HOSPITAL	
02 SUPPORT SERVICES	
420 CURRENT EXPENSES-OYR	16,969
490 OTHER EXPENDITURES-OYR	1,633
TOTAL	18,602

ESTIMATED SOURCE OF FUNDS FOR
SUPPORT SERVICES

GENERAL FUNDS	18,602
TOTAL	18,602

05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

05 DIVISION OF MENTAL HEALTH

04 NEW HAMPSHIRE HOSPITAL

03 CLINIC SUPPORT

420 CURRENT EXPENSES-OYR	6,276
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446 CONSULTANTS	11,024
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491 OTHER EXPENDITURES	4,486
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TOTAL	21,786
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ESTIMATED SOURCE OF FUNDS FOR CLINIC SUPPORT

GENERAL FUNDS	21,786
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TOTAL	21,786
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

05 DIVISION OF MENTAL HEALTH

04 NEW HAMPSHIRE HOSPITAL

05 TERTIARY CARE

490 OTHER EXPENDITURES-OYR	3,582
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TOTAL	3,582
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ESTIMATED SOURCE OF FUNDS FOR TERTIARY CARE

GENERAL FUNDS	3,582
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TOTAL	3,582
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

06 DIV OF ELDERLY & ADULT SERVICES

01 STATE OFFICE ADMINISTRATION

02 CENTRAL OFFICE II

80 OUT-OF-STATE TRAVEL	2,210
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TOTAL	2,210
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ESTIMATED SOURCE OF FUNDS FOR

CENTRAL OFFICE II

GENERAL FUNDS	904
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FEDERAL FUNDS	1,306
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TOTAL	2,210
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05 HEALTH AND SOCIAL SERVICES

02 DEPARTMENT OF HEALTH & HUMAN SERVICES

06 DIV OF ELDERLY & ADULT SERVICES	
02 PROGRAM OPERATIONS	
02 AREA COORDINATION	
80 OUT-OF-STATE TRAVEL	684
TOTAL	684

ESTIMATED SOURCE OF FUNDS FOR	
AREA COORDINATION	
GENERAL FUNDS	171
FEDERAL FUNDS	513
TOTAL	684

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
06 DIV OF ELDERLY & ADULT SERVICES	
03 GRANTS TO LOCALS	
01 OAA	
91 SOCIAL SERVICE PROGRAMS	389,910
TOTAL	389,910

ESTIMATED SOURCE OF FUNDS FOR OAA	
GENERAL FUNDS	21,679
FEDERAL FUNDS	368,231
TOTAL	389,910

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
07 ADMIN ATTACHED BOARDS	
05 MEDICINE, BOARD OF	
01 ADMINISTRATION AND SUPPORT	
49 TRANS TO OTHER STATE AGENCIES	25,500
70 IN-STATE TRAVEL	802
80 OUT-OF-STATE TRAVEL	942
TOTAL	27,244

ESTIMATED SOURCE OF FUNDS FOR	
ADMINISTRATION AND SUPPORT	
GENERAL FUNDS	27,244
TOTAL	27,244

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH & HUMAN SERVICES	
07 ADMIN ATTACHED BOARDS	
05 MEDICINE, BOARD OF	
02 PROSECUTING COUNSEL	
46 CONSULTANTS	6,000
TOTAL	6,000

ESTIMATED SOURCE OF FUNDS FOR
PROSECUTING COUNSEL

GENERAL FUNDS	6,000
TOTAL	6,000

3 ADDITIONS. THE TOTAL OF THE FUNDS AVAILABLE FOR FISCAL YEAR 1989 IN THE FOLLOWING PAU'S RECEIVED FROM WHATEVER SOURCE, SHALL BE INCREASED IN THE AMOUNTS SPECIFIED:

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH AND HUMAN SERVICES	
04 DIVISION OF HUMAN SERVICES	
05 GRANTS	
01 FINANCIAL GRANTS	
90 AFDC GRANTS	1,019,697
TOTAL	1,019,697

ESTIMATED SOURCE OF FUNDS FOR
FINANCIAL GRANTS

FEDERAL FUNDS	509,849
GENERAL FUNDS	509,848
TOTAL	1,019,697

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH AND HUMAN SERVICES	
04 DIVISION OF HUMAN SERVICES	
05 GRANTS	
03 ANB GRANTS	
90 ANB GRANTS	19,071
TOTAL	19,071

ESTIMATED SOURCE OF FUNDS FOR ANB GRANTS

GENERAL FUNDS	19,071
TOTAL	19,071

05 HEALTH AND SOCIAL SERVICES	
02 DEPARTMENT OF HEALTH AND HUMAN SERVICES	
04 DIVISION OF HUMAN SERVICES	
05 GRANTS	
06 NURSING HOME GRANTS	
90 NURSING HOMES	6,138,790
TOTAL	6,138,790

ESTIMATED SOURCE OF FUNDS FOR
NURSING HOME GRANTS

FEDERAL FUNDS	3,069,395
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OTHER FUNDS	1,887,678
GENERAL FUNDS	1,181,717
TOTAL	6,138,790

4 1987 400:1 AMENDED. THE FOLLOWING PAU'S AND LINE ITEMS IN 1987, 400:1 AS AMENDED BY 1988,254 FOR FISCAL YEAR 1989 ARE AMENDED AS FOLLOWS:

01 GENERAL GOVERNMENT	
04 DEPARTMENT OF ADMINISTRATIVE SERVICES	
01 OFFICE OF THE COMMISSIONER	
02 BUDGET OFFICE	
04 INDIGENT DEFENDERS	
STRIKE OUT	
90 ASSIGNED COUNCIL	450,000
INSERT IN PLACE THEREOF	
90 ASSIGNED COUNCIL	950,000
STRIKE OUT	
91 PUBLIC DEFENDER PROGRAM	3,912,242
INSERT IN PLACE THEREOF	
91 PUBLIC DEFENDER PROGRAM	3,712,242
TOTAL	5,624,083

ESTIMATED SOURCE OF FUNDS FOR
INDIGENT DEFENDERS
STRIKE OUT

GENERAL FUNDS	5,324,083
INSERT IN PLACE THEREOF	
GENERAL FUNDS	5,624,083
TOTAL	5,624,083

06 EDUCATION

03 DEPARTMENT OF EDUCATION	
01 OFFICE OF THE COMMISSIONER	
01 COMMISSIONER - STATE	
STRIKE OUT	
50 OTHER PERSONAL SERVICES	10,000
INSERT IN PLACE THEREOF	
50 OTHER PERSONAL SERVICES	7,000
STRIKE OUT	
70 IN-STATE TRAVEL	2,500
INSERT IN PLACE THEREOF	
70 IN-STATE TRAVEL	1,500
STRIKE OUT	
91 STUDENT TESTING	140,000

INSERT IN PLACE THEREOF	
91 STUDENT TESTING	135,000
STRIKE OUT	
92 DROPOUT PREVENTION	100,000
INSERT IN PLACE THEREOF	
92 DROPOUT PREVENTION	98,500
STRIKE OUT	
93 POSITION CONVERSION	100,000
INSERT IN PLACE THEREOF	
93 POSITION CONVERSION	94,000
TOTAL	619,727

ESTIMATED SOURCE OF FUNDS FOR
COMMISSIONER - STATE
STRIKE OUT

GENERAL FUNDS	518,360
INSERT IN PLACE THEREOF	
GENERAL FUNDS	501,860
TOTAL	619,727

06 EDUCATION

03 DEPARTMENT OF EDUCATION

03 DIVISION OF INSTRUCTION

01 GENERAL INSTRUCTION

02 INSTRUCTION PROGRAM - STATE

STRIKE OUT

50 OTHER PERSONAL SERVICES	1,000
INSERT IN PLACE THEREOF	
50 OTHER PERSONAL SERVICES	623
TOTAL	376,435

ESTIMATED SOURCE OF FUNDS FOR
INSTRUCTION PROGRAM - STATE
STRIKE OUT

GENERAL FUNDS	376,812
INSERT IN PLACE THEREOF	
GENERAL FUNDS	376,435
TOTAL	376,435

Amendment adopted.

Senator Blaisdell offered a floor amendment.

SENATOR BLAISDELL: This came from the court system and what happens is that they ran into a problem with respect to payment of court ordered costs where the authority for payment was

unclear and the current problem is in respect to the payment of guardians ad litem appointed for children in domestic violence cases. After repeated efforts to have the department of health and human services pay for these services, they conclude that they neither have the authority nor the appropriation to pay for them. This is only a \$2,200 appropriation, it will come out of funds all ready there in the courts, so there is no change in SB 4-A. Senate Finance Committee asks you to pass it.

FLOOR AMENDMENT TO SB 4-A

Amend the bill by replacing section 15 with the following:

15 Division Footnote. Amend the division footnote following PAU 02, 01, 02 to read as follows:

The administrative office of the courts will negotiate a cooperative agreement with the bureau of child support for reimbursement for cases referred by masters to the bureau. In the event that federal funds reimbursement exceeds the amount budgeted as income from the bureau for FY 1988 and FY 1989, the additional income is hereby appropriated.

The court may, with prior approval of the fiscal committee, transfer state or federal monies available within this PAU to fund up to 2 additional marital masters.

In those instances where the courts have the authority to order services to be rendered and the responsibility for payments is unclear, the court may assume said responsibility.

16 Effective Date. This act shall take effect upon its passage.

Floor Amendment adopted.

Senator Blaisdell offered a floor amendment.

SENATOR BLAISDELL: This next one is the one that you'll find on your "Forecast for Funds" balance. This is the one that fell through the cracks. This doesn't touch the appropriations at all. All it does it correct the corrections part of the bill. This doesn't touch the appropriations at all, all it does is put this into the proper form.

Floor Amendment to SB 4-A

Amend section 1 of the bill by inserting after PAU 02,08,02 the following new PAU's:

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

16 DEPARTMENT OF CORRECTIONS

03 DIVISION OF ADULT SERVICES

02 BUREAU OF PROGRAMS AND SERVICES

09 EDUCATIONAL & VOCATIONAL TRAINING

STRIKE OUT

20 CURRENT EXPENSES	8,334
INSERT IN PLACE THEREOF	
20 CURRENT EXPENSES	16,334
TOTAL	495,672

ESTIMATED SOURCE OF FUNDS FOR
EDUCATIONAL & VOCATIONAL TRAINING
STRIKE OUT

GENERAL FUNDS	487,672
INSERT IN PLACE THEREOF	
GENERAL FUNDS	495,672
TOTAL	495,672

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

16 DEPARTMENT OF CORRECTIONS

04 DIVISION OF FIELD SERVICES

01 BUREAU OF DISTRICT OFFICES

STRIKE OUT

20 CURRENT EXPENSES	200,315
INSERT IN PLACE THEREOF	
20 CURRENT EXPENSES	286,315
TOTAL	2,523,464

ESTIMATED SOURCE OF FUNDS FOR
BUREAU OF DISTRICT OFFICES
STRIKE OUT

GENERAL FUNDS	2,437,464
INSERT IN PLACE THEREOF	
GENERAL FUNDS	2,523,464
TOTAL	2,523,464

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

16 DEPARTMENT OF CORRECTIONS

05 SECURE PSYCHIATRIC UNIT

STRIKE OUT

50 OTHER PERSONAL SERVICES	87,000
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INSERT IN PLACE THEREOF

50 OTHER PERSONAL SERVICES	126,000
TOTAL	2,945,431

ESTIMATED SOURCE OF FUNDS FOR
SECURE PSYCHIATRIC UNIT
STRIKE OUT

GENERAL FUNDS	2,906,431
INSERT IN PLACE THEREOF	
GENERAL FUNDS	2,945,431
TOTAL	2,945,431

Amend section 3 of the bill by inserting preceding PAU 05,02, 04,05,01 the following new PAU:

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

16 DEPARTMENT OF CORRECTIONS

06 FEMALE PRISON

20 CURRENT EXPENSES	15,000
30 EQUIPMENT	69,475
50 OTHER PERSONAL SERVICES	114,097
60 BENEFITS	11,410
70 IN-STATE TRAVEL	500
80 OUT-OF-STATE TRAVEL	4,000
TOTAL	214,482

ESTIMATED SOURCE OF FUNDS FOR FEMALE PRISON

GENERAL FUNDS	214,482
TOTAL	214,482

Amend section 4 of the bill by inserting after PAU 01,04,01,02, 04 the following new PAU's:

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

16 DEPARTMENT OF CORRECTIONS

03 DIVISION OF ADULT SERVICES

01 BUREAU OF SECURITY

STRIKE OUT

50 OTHER PERSONAL SERVICES	491,000
INSERT IN PLACE THEREOF	
50 OTHER PERSONAL SERVICES	1,071,000
TOTAL	8,290,915

ESTIMATED SOURCE OF FUNDS FOR
BUREAU OF SECURITY
STRIKE OUT

GENERAL FUNDS	7,674,915
INSERT IN PLACE THEREOF	
GENERAL FUNDS	8,254,915
TOTAL	8,290,915

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

16 DEPARTMENT OF CORRECTIONS

03 DIVISION OF ADULT SERVICES

02 BUREAU OF PROGRAMS & SERVICES

01 ADMINISTRATION

STRIKE OUT

20 CURRENT EXPENSES	44,001
INSERT IN PLACE THEREOF	
20 CURRENT EXPENSES	81,001
STRIKE OUT	
90 STOCKROOM SUPPLIES	93,815
INSERT IN PLACE THEREOF	
90 STOCKROOM SUPPLIES	133,815
TOTAL	437,708

ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION
STRIKE OUT

GENERAL FUNDS	360,708
INSERT IN PLACE THEREOF	
GENERAL FUNDS	437,708
TOTAL	437,708

02 ADMINISTRATION OF JUSTICE AND PUBLIC
PROTECTION

16 DEPARTMENT OF CORRECTIONS

03 DIVISION OF ADULT SERVICES

02 BUREAU OF PROGRAMS & SERVICES

10 MEDICAL & DENTAL

STRIKE OUT

93 OUTSIDE MEDICAL SERVICES	576,000
INSERT IN PLACE THEREOF	
93 OUTSIDE MEDICAL SERVICES	1,336,000
TOTAL	1,911,181

ESTIMATED SOURCE OF FUNDS FOR
MEDICAL & DENTAL
STRIKE OUT

GENERAL FUNDS	1,151,181
INSERT IN PLACE THEREOF	
GENERAL FUNDS	1,911,181
TOTAL	1,911,181

Floor Amendment adopted. Ordered to Third Reading.

SB 82-FN, relative to judicial retirement pay and to vested rights in judicial retirement compensation. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The committee on Finance held a public hearing on SB 82-FN and after accepting all of the testimony on this bill, voted that the bill should be reported as ought to pass with an amendment. The amendment is in your book and it is a technical amendment that makes this bill consistent with the same piece of legislation that was introduced in the last session of the legislature. It was supported in principal by this body. We recommend that you adopt the amendment and adopt the bill.

SENATOR DISNARD: I agree with the idea but I have a question. When a state employee or municipal employee retires today, they have a choice of a pop-up. A pop-up in the retirement system is, part of their retirement pay is deducted so in event of their death their spouse or children, the ones they're leaving, would receive a portion of that payment - 50%, 75 or 100%. Does the same prevail here so we won't be changing the idea of a retirement system?

SENATOR HOUGH: This bill is exactly as it is, as it is before you. It provides vesting rights based on length of service and it's no different than the policy bill we passed a year ago.

AMENDMENT TO SB 82-FN

Amend the bill by replacing all after section 4 with the following:

5 Application. The provisions of section 1-4 of this act shall not apply to any judge or to the surviving spouse and children of any judge who retired or who left the judicial service prior to the effective date of sections 1-4 of this act.

6 Effective Date. This act shall take effect July 1, 1989.

Amendment adopted. Ordered to Third Reading.

SB 146-FN, relative to judicial salaries. Ought to Pass. Senator Hough for the Committee.

SENATOR HOUGH: The committee on Finance held a public hearing on SB 146-FN. After receiving testimony took this into consideration in executive session and reports the bill ought to pass. This bill is clearly the bill that you saw before you a year ago. It is a straight piece of legislation. It addresses judicial compensation. It is a piece of legislation. It addresses only that and it does not consider any other issues. The committee recommends ought to pass.

SENATOR CURRIER: As I understand it clerks pay is tied to the salary of this. Is that the case in this bill? Are they going to get a raise also?

SENATOR HOUGH: This bill only effects the chief justice, associate justices, and chief of the superior court and his associates in full time districts and probate justices. This changes the statute relative to judicial compensation. It does clearly what it says it does.

Adopted. Ordered to Third Reading.

Senators Roberge and Charbonneau wished to be recorded as opposed.

SB 88-FN, providing a cost of living adjustment for certain Group I members. Ought to Pass. Senator Freese for the Committee.

SENATOR FREESE: This legislation makes a cost of living adjustment for certain group I members. The amendment is on page 21 of today's calendar. You will, no doubt, remember that in 1988 the legislature separated the integrated social security system from the state retirement. It is not now integrated. It was provided, at that time, that the recalculation of benefits resulting from this action, resulted in an increase of less than 5%, of the members current total retirement allowance. Said sum would be added to the allowance so that the referred member would receive a total increase of equal to 5%.

SB 88 affects this additional allowance for the fiscal year ending June 30, 1989. Presently there are 1334 retired group I members in this category. At the time that the bill was printed the fiscal note was not available but I did call the legislative budget office and it will be approximately \$700,000 to fund and there are adequate reserves to take care of it, according to testimony by executive secretary Harry DeCoto. Additional allowance shall become a permanent part of the retired members base retirement allowance and the committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 31, relative to renovation of the Rochester post office as a district court facility. Ought to Pass. Senator Dupont for the Committee.

SENATOR DUPONT: SB 31 allows for the use of an appropriation that was made back in 1985 that went towards the purchase of two federal postal facilities. Only one was purchased, that being the Rochester post office, and this bill moves the money in that appropriation into a position where it can be used for renovation of that facility.

Adopted. Ordered to Third Reading.

SB 69-FN, establishing the home mortgage guarantee authority. Ought to Pass with Amendment. Senator Dupont for the Committee.

Senator Dupont moved to recommit SB 69-FN to committee.

Adopted.

SB 75-FN, requiring recording of wetlands permits with the registry of deeds. Inexpedient to Legislate. Senator Dupont for the Committee.

SENATOR DUPONT: SB 75-FN was moved inexpedient to legislate based on this issue being taken care of in another piece of legislation that is before the body.

Adopted.

SB 85-FN, establishing a state board of forensic polygraph examiners. Inexpedient to Legislate. Senator Podles for the Committee.

SENATOR PODLES: SB 85 was requested by the New Hampshire Police Association to establish a state board of forensic polygraph examiners. On new information received the bill was later withdrawn. The committee recommends inexpedient to legislate.

Adopted.

SB 97-FN, relative to the distribution of drug forfeiture money. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: SB 97 deals with the drug forfeiture fund. It increases the percentage of monies that will go back to our communities for our drug enforcement issues. It raises the cap on the

amount of money that can be in the fund and provides for better cooperative effort between our law enforcement agencies. It also provides for monies to go back to your county attorneys for prosecution of drug cases.

AMENDMENT TO SB 97-FN

Amend the bill by replacing section 2 with the following:

2 County and Municipal Expenses. Amend RSA 318-B:17-c, I to read as follows:

I. There is hereby established within the office of the state treasurer a special revolving fund to be designated as the drug forfeiture fund. This fund shall be administered by the attorney general and may be used to pay the costs of local, county and state drug related investigations, as well as drug control law enforcement programs within New Hampshire. **The fund may also be used to pay extraordinary costs of local, county and state drug prosecutions and trial expenses.**

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill changes the distribution of up to the first \$200,000 received from drug forfeitures so that 50 percent is returned to local law enforcement agencies and 50 percent is credited to the revolving drug forfeiture fund.

This bill increases the cap on the revolving drug forfeiture fund from \$300,000 to \$750,000.

This bill also allows drug forfeiture fund money to be used to pay extraordinary costs of local, county and state drug prosecutions and trial expenses.

Amendment adopted.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: The amendment before you corrects an error that took place when the amendment was drafted in committee where the state police was left out of this program. The amendment merely deals with allowing the state police to participate in the fund.

FLOOR AMENDMENT TO SB 97-FN

Amend RSA 318-B:17-b, IV(a)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) [Forty-five] **Fifty** percent shall be returned to the fiscal officer or officers of the [municipality or municipalities or county or

counties where the] law enforcement agency or agencies responsible for seizure of the money and auctioned items [are located]. Moneys returned to each fiscal officer shall be deposited in a special account and shall be used primarily for meeting expenses incurred by law enforcement agencies in connection with drug related investigations. Such funds shall be available for expenditure without further appropriation by the governing body of the municipality or county and shall not be transferred or expended for any other purpose. Moneys returned to a state law enforcement agency shall be deposited in a special nonlapsing account established within the office of the state treasurer and shall be in addition to all other state appropriations to such agency; **and**

Floor Amendment adopted. Ordered to Third Reading.

SB 124-FN, relative to the sale of liquor. Inexpedient to Legislate. Senator Podles for the Committee.

SENATOR PODLES: SB 124 authorizes the liquor commission to extend permission for the outside sale of beverages and liquor to certain hotels, restaurants, clubs and other places. The committee recommends inexpedient to legislate.

Adopted.

SB 194-FN, establishing a real estate broker guaranty fund and repealing the requirement for real estate brokers' bonds. Inexpedient to Legislate. Senator Podles for the Committee.

SENATOR PODLES: SB 194 eliminates current law that requires real estate brokers to be bonded. Instead it creates a real estate guaranty fund and a set of elaborate procedures that could be costly to the state. There was opposition to the bill from the American Insurance Association and also the New Hampshire Association of Realtors. The committee recommends inexpedient to legislate.

Adopted.

SB 16, relative to post-termination commissions paid to sales representatives. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill basically sets standards and procedures for relationships between principals; i.e. manufacturers and sales reps. I refer you to page 7 of the Senate calendar. The amendment replaces the entire contents of the bill. After the definitions, you have a section 2 which sets up procedures for the establishment of a

contract between the principal and the sales rep. In the second section of the bill, it allows for the termination of those procedures, for the termination of contracts where there is no written contract, and it provides a fair means for payment of commissions which are due. It is my intention that if the committee amendment is approved, to offer a floor amendment which basically changes the time during the requisition process in which commissions will be paid after a nonverbal contract is terminated. It is my hope that you will approve the amendment. It's been run by both the sponsor of the bill and those interested in this piece of legislation.

AMENDMENT TO SB 16

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Sales Representatives; Post-Termination Commissions. Amend RSA by inserting after RSA 339-D the following new chapter:

CHAPTER 339-E

SALES REPRESENTATIVES AND POST-TERMINATION COMMISSIONS

339-E:1 Definitions. In this chapter:

I. "Commission" means compensation accruing to a sales representative for payment by a principal, earned through the last day on which services were performed by the sales representative, the rate of which is expressed as a percentage of the dollar amount of orders or sales.

II. "Day" means any calendar day, including Saturdays, Sundays and legal holidays.

III. "Principal" means a person who manufactures, produces, imports or distributes a product for wholesale, contracts to solicit orders for such product, and compensates individuals who solicit wholesale orders, in whole or in part, by commission.

IV. "Sales representative" means an individual other than an employee, who contracts with a principal to solicit wholesale orders and who is compensated, in whole or in part, by commission but shall not include one who places orders or purchases exclusively for his own account for resale.

V. "Termination" means the end of services performed by the sales representative for the principal by either discharge or resignation.

339-E:2 Request For Written Contract; Terms.

I. At the written request of either party, a sales representative and a principal shall enter into a written contract for services to be

performed by a sales representative. No such written contract shall be entered into prior to the termination of any existing agreement.

II. Any written contract entered into pursuant to this section shall contain provisions which establish:

(a) The form of payment and the method by which such payment is to be computed and made, including instances where the written contract is terminated by either party under the provisions of the written contract;

(b) The length of notice which either party must provide to the other for termination of the contract; and

(c) Any other terms and conditions which the parties agree to include in such contract.

III. The principal shall provide the sales representative a signed copy of a written contract entered into pursuant to this section.

339-E:3 Commissions. When an agreement between a principal and a sales representative is terminated by either party or has expired and the agreement is not in writing, the principal shall pay all unpaid commissions due the sales representative for orders delivered accepted and paid for prior to such termination or expiration within 7 days after the date of such termination or expiration of the agreement; provided, however, any commissions due a sales representative on an order made prior to such termination or expiration, but delivered, accepted and paid for after such termination or expiration shall become due and payable to the sales representative within 30 days after the principal receives payment for the order; and, provided further, that either party shall provide the other with at least 7 days notice before such agreement may be terminated.

339-E:4 Jurisdiction. A principal who is not a resident of this state that contracts with a sales representative to solicit orders in this state is declared to be doing business in this state for purposes of the exercise of personal jurisdiction over nonresidents.

339-E:5 Other Remedies; Combination of Claims. Nothing in this chapter shall invalidate or restrict any other or additional right or remedy available to a sales representative, or preclude a sales representative from seeking to recover in one action on all claims against a principal.

339-E:6 No Waivers by Contract. A provision in any contract between a sales representative and a principal purporting to waive any provision of this chapter, whether by expressed waiver or by a contract subject to the laws of another state, shall be void.

2 Effective Date. This act shall take effect January 1, 1990.

AMENDED ANALYSIS

This bill establishes requirements for written contracts between

sales representatives and principals. It establishes requirements for payment of post-termination commissions in the absence of a contract between the sales representative and the principal.

This bill also declares personal jurisdiction over certain nonresident principals and states that any agreements that waive the requirements established by this bill are void.

Amendment adopted.

Senator Bass offered a floor amendment.

SENATOR BASS: As I just explained a minute ago; this is the amendment that I hope you will approve. It is part of the committee amendment.

FLOOR AMENDMENT TO SB 16

Amend RSA 339-E:3 as inserted by section 1 of the bill by replacing it with the following:

339-E:3 Commissions. When an agreement between a principal and a sales representative is terminated by either party or has expired and the agreement is not in writing, the principal shall pay all unpaid commissions due the sales representative for orders delivered and accepted prior to such termination or expiration within 7 days after the date of such termination or expiration of the agreement; provided, however, any commissions due a sales representative on an order made prior to such termination or expiration, but delivered and accepted after such termination or expiration shall become due and payable to the sales representative within 30 days after the order is delivered and accepted; and, provided further, that either party shall provide the other with at least 60 days' notice before such agreement may be terminated.

Floor Amendment adopted. Ordered to Third Reading.

SB 32-FN, relative to drug offenses. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: SB 32 provides technical corrections in the current law. It changes the quantities of certain drugs, adjusts the quantity amount and penalty provision so that only larger cases would end up in the attorney general's office. The bill further reduces the amount of bond a person is required to file to obtain judicial review of a forfeiture.

The amendment on page 8 changes the quantity to 5 ounces of the substances that one represents of cocaine and heroin. It also

changes the effective date to take effect upon passage. The committee recommends ought to pass with amendment.

AMENDMENT TO SB 32-FN

Amend the introductory paragraph of RSA 318-B:26, I(a)(1) as inserted by section 2 of the bill by replacing it with the following:

(1) Five ounces or more of a mixture or substance containing any of the following, including any adulterants or dilutants[, provided there are included at least 3.5 grams of the pure free-base drug]:

Amend RSA 318-B:26, I(b)(1) as inserted by section 2 of the bill by replacing it with the following:

(1) A substance or mixture referred to in subparagraph I(a)(1) of this section in a quantity of 1/2 ounce or more, but less than 5 ounces including any adulterants or dilutants[, provided there are included at least 3.5 grams of the pure free-base drug]:

Amend the bill by replacing section 7 with the following:

7 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

SB 44-FN, requiring the Superior Court to adjudicate paternity in certain contested cases. Ought to Pass with Amendment. Senator Roberge for the Committee.

SENATOR ROBERGE: I urge you to pass SB 44. The current law has a loophole that allows an interstate case to be placed in limbo. If a defendant raises the defense that he is not the father our courts can place the case on hold without ever resolving the paternity issue.

The proposed amendment removes the discretionary language thereby removing the loophole and forcing the courts to adjudicate paternity. Once paternity is established, an appropriate order for support can be entered in the court.

AMENDMENT TO SB 44-FN

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect 60 days after its passage.
Amendment adopted. Ordered to Third Reading.

SB 52, relative to drug paraphernalia. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 52 redefines drug paraphernalia to include objects which are traditionally intended for the use with drugs. Testimony on behalf of the Nashua Police Department, the mayor of Nashua and by the New Hampshire Police Association, representing 2,000 ranking police officers in the state, was in favor of the bill. They indicated that the bill is an improvement which will make successful enforcement efforts possible for the first time. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 56-FN, relative to the disposition of fines and forfeitures collected for violations of municipal ordinances, codes and regulations. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: As you well know, this is the similar bill to that that was co-sponsored by yourself and myself in the last session. It's passed two or three times through this body and has been vetoed twice. Essentially, it would allow for local ordinance monies to be returned to the towns and cities, less the court costs. The legislation was supported by the New Hampshire Municipal Association. We had excellent testimony from the city manager in Concord and it was indicated by him that this would lead to better enforcement of code violations and really it's only just that they receive these monies back. It's an excellent bill.

Adopted. Ordered to Third Reading.

SB 76, relative to durable power of attorney for health care. Inexpedient to Legislate. Senator Preston for the Committee.

SENATOR PRESTON: SB 76 seems to raise new concerns. One, the proponents of this bill said that it needs more work and more refinement. Evidently it's a philosophical opposition to this bill, certainly, that I have, as I speak on the floor and I think that it could be prone to some abuses. Should one doctor be allowed to determine the incompetence? This bill does away with the due process that we seemingly have at this time. But more importantly to me, I'm always suspect that some of these pieces of legislation might go a bit too far. As the population grows in numbers, of the old and infirm, this very vulnerable group of people, I just have some great concern that some advantage could be taken of them. In correspondence that we received, even from the archdiocese of Manchester, there are a mul-

multiple number of proposals that they suggest to this bill for amendments, as well as some of the other proponents of the legislation so, I just think it needs more work and urge you to vote against this piece of legislation.

SENATOR DISNARD: Senator, does this take away my right to a living will?

SENATOR PRESTON: I don't believe it does. I defer to Senator McLane.

SENATOR MCLANE: No, he's right, it does not take away your rights to a living will. We passed the living will in the last session in a very, very close fight. The durable power of attorney is used for medical reasons. The living will is only used when you're terminally ill and this would be whenever you were incompetent.

Senator McLane moved to substitute Ought to Pass for the committee report.

Adopted.

Senator McLane offered a floor amendment.

SENATOR MCLANE: I wish that I had the tape that the department of health has of Helen Hayes speaking for the AARP because, she explains so beautifully the philosophy behind a durable, medical power of attorney. One of the things she says is, "the only way a person can assure that his own health care desires are carried out is to have a durable medical power of attorney". Presently in New Hampshire, we do have the living will. Many of you fought very hard for and against that issue in the last session. We did override the Governor's veto, if you remember. But that deals with just the terminally ill. This bill was put forward by the Alzheimer's Committee. It is their deep request that you go forward with this legislation. It is a bill that would benefit single people. A bill that would greatly benefit the elderly. Presently, in order to be declared incompetent, you must go through an adversarial judicial process called a guardianship. That process can cost up to \$1,800 and it involves hauling the person down there and proving that they are incompetent. A very unpleasant and often long drawn out and tedious procedure. As Helen Hayes said, "I want to make those decisions for myself. There are others that prefer to make decisions very different from me. Those who prefer feeding tubes, those who do not prefer them". But, that decision should be made by someone that you designate. And that's all that a durable medical power of attorney does. Many of you have this for your financial affairs. Many people who have Alzheimer's

have found how terribly important that is, if you have a joint account or something, to be able to turn to the person designated to have a durable power of attorney for either one of you and to do what you know the person, if they were competent, would ask to do. The Department of Mental Health, the New Hampshire Hospital Association, the New Hampshire Health Care Association, the Senior Citizens Law Project, Adult Services, the Odd Fellows, the nursing home people, the medical people all came in and urged this bill.

After the hearing, at which there was no objection except from one woman from the right-to-life who felt that this allowed people to make medical decisions that they would prefer them not to make; such as the feeding tubes. There had been no objection to it and then David Lamar Vincent, who is the head of the Catholic Charities, who I have been working very closely with on the homeless issue, called me with his objections. His objections were that it might permit assisted suicide. It was never meant to permit this and I assured him that that was not my intent nor the intent of any of the framers of the legislation. This legislation is in effect in Vermont. I have worked with David Lamar Vincent before, when we were doing the living will. I made 29 changes in the living will legislation at his request. If you will look at the second paragraph of the letter, he says, "we worked with the legislature several years ago and having the so-called living will legislation amended so that it was acceptable to the legislature and accommodated concerns raised by us and other parties". For that reason, I urge you to go along with an amendment that would put this bill to study because I believe that we can work out with David Lamar Vincent and Catholic Charities how to allay their fears which I find very understandable and to still pass this important piece of legislation. It is now clear that there is no durable power of attorney for medical affairs in New Hampshire now. This is a great concern to nursing homes, it's a great concern to elderly people. Just think about a single person who is, for some reason, lying in the the hospital, suddenly incompetent. Does she want her brother, all the way from Florida, to come up who she hasn't seen in ten years and make these very important intimate decisions for her? Or would she rather have her dearest, closest neighbor who she has had tea with every day for many, many years. It allows the person to make this choice and for that reason I would urge you to send this bill over to the House as a study committee. And I would hope that in the intervening couple of months, that I could work out with David Lamar Vincent and Catholic Charities their fears because I promise you that I know very well that unless we do that we will not pass this important legislation.

SENATOR BASS: I rise in strong support of Senator McLane's floor amendment. The Senate Judiciary Committee sat in public testimony from approximately one in the afternoon until about four. We heard 15 pages of testimony. All except for one witness testified in favor of this particular legislation. We heard from state officials who have to deal with people who may find themselves incapacitated to favor this bill. We heard from nursing home administrators, we heard from senior citizens, we heard from doctors. There is overwhelming support for this concept. Now, there may be certain problems with the bill as it was drafted, but like all complex and progressive pieces of legislation this bill may need further attention. A yes vote on the McLane amendment is not a vote for durable power of attorney in health care. It is a vote to give those people who are interested in this issue an opportunity to give us the chance to see if we can make this work. It is not a vote in favor for durable power of attorney. I urge the Senate to vote yes on this pending motion.

FLOOR AMENDMENT TO SB 76

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a committee to study durable powers of attorney for health care.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established; Duties; Membership. There is hereby established a committee to study the issue of whether a statutory procedure should be set up to allow adults to execute a "durable power of attorney for health care" document, designating an agent to make health care decisions on their behalf during any future periods of incapacity. The committee shall study the Vermont law relative to durable power of attorney for health care and determine whether a similar law, if enacted, would be of benefit to New Hampshire citizens. The committee shall consist of the following members:

I. Two members of the senate judiciary committee, appointed by the president of the senate.

II. Two members of the house judiciary committee, appointed by the speaker of the house.

III. One member of the legal profession, appointed by the governor.

IV. One representative from a charitable organization, appointed by the governor.

V. One representative from a senior citizens' organization, appointed by the governor.

2 Appointments; Meetings; Mileage. The members of the committee shall be appointed within 30 days of the effective date of this act. The committee shall elect a chairperson at its first meeting. Legislative members shall receive mileage at the legislative rate.

3 Report. The committee shall submit a report on its findings, along with its recommendations for legislation, on or before December 1, 1989, to the senate president, the speaker of the house, and the governor.

4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to study whether a legal procedure should be enacted to allow adults to execute a "durable power of attorney for health care" document, designating an agent to make health care decisions on their behalf during any future periods of incapacity. The committee is directed to submit a report on its findings, along with recommendations for legislation, on or before December 1, 1989, to the senate president, the speaker of the house and the governor.

Floor Amendment adopted. Ordered to Third Reading.

SB 107, relative to the right to know law. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 107 changes the language of the preamble regarding access to public records and meetings. Instead of making assurances for the greatest possible public access, the bill requires the public be provided with full and total access. It further defines public proceedings to include business transactions that involve both Governor and Governor's council. The committee recommends ought to pass.

SENATOR BOND: Senator Podles, what impact, if any, does this language have on negotiations in the public sector? Does this mean that negotiations must be held in public?

SENATOR PODLES: It has to go into executive session and have something very personal. Other than that it is open to the public.

SENATOR BOND: So it would no longer be possible to hold labor negotiations between a public body and a labor organization out of the public eye as you can now under the statute?

SENATOR PODLES: This applies to the Governor and Council.

SENATOR BOND: The question is; this being the preamble does change the language from to assure the greatest possible public to provide full and total access.

SENATOR PODLES: That's exactly what it means. To provide full and total access.

SENATOR BOND: So it would no longer be possible to hold negotiations between two parties without being in public.

SENATOR PODLES: The exception still applies on the negotiations.

Adopted. Ordered to Third Reading.

SB 125, adopting the uniform trade secrets act. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: SB 125 has to do with trade secrets. The bill establishes a set of fair rules that provide for fair measure protection to people who invest their efforts in developing software and other high tech things. It is designed to codify the law of governing the protection given to businesses confidential and propriety information. There is no current statute in place that covers this area.

The amendment on page 14 changes the bill into a new chapter which is more appropriate for the subject matter. The committee recommends ought to pass with amendment.

AMENDMENT TO SB 125

Amend the bill by replacing section 1 with the following:

1 New Chapter; Misappropriation of Trade Secrets. Amend RSA by inserting after chapter 350-A the following new chapter:

CHAPTER 350-B

UNIFORM TRADE SECRETS ACT

350-B:1 Definitions. As used in this chapter, unless the context requires otherwise:

I. "Improper means" includes theft, bribery, misrepresentation, breach or inducement of a breach of a duty to maintain secrecy, or espionage through electronic or other means.

II. "Misappropriation" means:

(a) Acquisition of a trade secret of another by a person who knows or has reason to know that the trade secret was acquired by improper means; or

(b) Disclosure or use of a trade secret of another without express or implied consent by a person who:

(1) Used improper means to acquire knowledge of the trade secret; or

(2) At the time of disclosure or use, knew or had reason to know that his knowledge of the trade secret was derived from or through a person who had utilized improper means to acquire it; or acquired under circumstances giving rise to a duty to maintain its secrecy or limit its use; or derived from or through a person who owed a duty to the person seeking relief to maintain its secrecy or limit its use; or

(3) Before a material change of his position, knew or had reason to know that it was a trade secret and that knowledge of it had been acquired by accident or mistake.

III. "Person" means a natural person, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

IV. "Trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(a) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and

(b) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

350-B:2 Injunctive Relief.

I. Actual or threatened misappropriation may be enjoined. Upon application to the court, an injunction shall be terminated when the trade secret has ceased to exist, but the injunction may be continued for an additional reasonable period of time in order to eliminate commercial advantage that otherwise would be derived from the misappropriation.

II. In exceptional circumstances, an injunction may condition future use upon payment of a reasonable royalty for no longer than the period of time for which use could have been prohibited. Exceptional circumstances include, but are not limited to, a material and prejudicial change of position prior to acquiring knowledge or reason to know of misappropriation that renders a prohibitive injunction inequitable.

III. In appropriate circumstances, affirmative acts to protect a trade secret may be compelled by court order.

350-B:3 Damages.

I. Except to the extent that a material and prejudicial change of position prior to acquiring knowledge or reason to know of misappropriation renders a monetary recovery inequitable, a complainant is entitled to recover damages for misappropriation. Damages can include both the actual loss caused by misappropriation and the unjust enrichment caused by misappropriation that is not taken into account in computing actual loss. In lieu of damages measured by any other methods, the damages caused by misappropriation may be measured by imposition of liability for a reasonable royalty for a misappropriator's unauthorized disclosure or use of a trade secret.

II. If willful and malicious misappropriation exists, the court may award exemplary damages in an amount not exceeding twice any award made under paragraph I.

350-B:4 Attorneys' Fees. The court may award reasonable attorneys' fees to the prevailing party when:

I. A claim of misappropriation is made in bad faith;

II. A motion to terminate an injunction is made or resisted in bad faith; or

III. Willful and malicious misappropriation exists.

350-B:5 Preservation of Secrecy. In an action under this chapter, a court shall preserve the secrecy of an alleged trade secret by reasonable means, which may include granting protective orders in connection with discovery proceedings, holding in-camera hearings, sealing the records of the action, and ordering any person involved in the litigation not to disclose an alleged trade secret without prior court approval.

350-B:6 Statute of Limitations. An action for misappropriation shall be brought within 3 years after the misappropriation is discovered or by the exercise of reasonable diligence should have been discovered. For the purposes of this section, a continuing misappropriation constitutes a single claim.

350-B:7 Effect on Other Law.

I. Except as provided in paragraph II, this chapter displaces conflicting tort, restitutionary, and other law of this state providing civil remedies for misappropriation of a trade secret.

II. This chapter shall not affect:

(a) Contractual remedies, whether or not based upon misappropriation of a trade secret;

(b) Other civil remedies that are not based upon misappropriation of a trade secret; or

(c) Criminal remedies, whether or not based upon misappropriation of a trade secret.

350-B:8 Uniformity of Application and Construction. This chapter shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting it.

350-B:9 Short Title. This chapter may be cited as the Uniform Trade Secrets Act.

Amendment adopted. Ordered to Third Reading.

SB 173, adopting uniform commercial code Article 2A-leases. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 173 adopts a uniform commercial code Article 2-A, dealing specifically with rules governing the contract release as opposed to sales. This should alleviate confusion and uncertainty in that area and will benefit both business and consumer interests in this regard. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 196, relative to bail reform. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 196 is a fine tuning to the bill passed in 1988. It allows judges to set cash bail where appropriate, even if setting that bail results in detention because the individual can't make bail. This is only with misdemeanor and felony cases. It further adds pretrial detention to the existing statutes where it might be appropriate in statutory rape cases and changes the penalties for bail jumping. The committee recommends ought to pass.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: The floor amendment merely moves the effective date up to upon passage. We passed a piece of legislation last session that was considerably flawed and this bill makes technical corrections to our bail reform laws that we passed last session. Hopefully, it will pass the House in its present form and we need to make it effective upon passage because of some legal issues out there until this bill is passed. So it should go into effect immediately.

Floor Amendment to SB 196-FN

Amend the bill by replacing section 7 with the following:

7 Effective Date. This act shall take effect upon its passage.
Floor Amendment adopted. Ordered to Third Reading.

SB 68 FN-A, relative to mandatory membership in regional planning commissions and making an appropriation therefor. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: There is an error in the calendar. The recommendation should not be ought to pass and therefore I would urge this body to defeat the pending motion of ought to pass and there will be a subsequent motion after that.

Motion failed.

Senator Johnson moved to substitute inexpedient to legislate for committee report.

SENATOR JOHNSON: This bill essentially had as its objective requiring all municipalities to become a member of a regional planning commission. Right now, there are only about nine percent of the total municipalities that are not members. So, we're really talking about a very small portion of the population to begin with. The testimony on this bill was somewhat mixed. People who thought that the regional planning commissions would get additional monies and additional authority tended to favor it. On the other hand, almost nobody wanted mandatory participation in the regional planning commissions as the state dictates. So, in the final analysis, this bill is inexpedient to legislate.

Adopted.

SB 155-FN, relative to the quarterly payment of property taxes. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: We thought this was a good bill but we didn't think it was quite up to the legislative excellence as established by our esteemed Senate President. So, we voted inexpedient to legislate.

Adopted.

SB 179-FN-A, establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden and making a contingent appropriation for a professional feasibility study. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: I think we will all lament the closing of Benson's Animal Farm down in Hudson, where we had a zoo that was enjoyed and appreciated by young and old. Now that that has been

closed, there's an attempt now, hopefully, to find something in the state to replace it. So, this bill sets up a committee to take a look at the feasibility of a privately funded zoological park. It does appropriate a small amount of money, but that amount of money would only be triggered if and when the private sector raises an equal amount. The committee recommends ought to pass.

Adopted. Referred to Finance (Rule #24).

SB 190-FN permitting cities and towns to adopt a property tax exemption for buildings equipped with fire sprinkler systems. Inexpedient to Legislate. Senator King for the Committee.

SENATOR KING: The committee felt that it was a logical goal to have sprinkler systems in homes and businesses in communities. However, since most of those homes all ready get a 20% reduction on their insurance rates, we felt that it was inappropriate for us to be giving them an additional reduction on their tax rates that would have to be passed on to the other taxpayers of the town. We voted this inexpedient to legislate.

Adopted.

SJR 2, establishing a national veterans' cemetery in New England. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: As an aging veteran who might possibly benefit from this legislation, I rise in strong support. What we're really talking about here is that we're urging our congressional delegation to seek the support of our neighbors in Maine and Vermont towards the goal of establishing a national cemetery in the upper three New England states.

Adopted. Ordered to Third Reading.

SB 2-FN, relative to restraints in motor vehicles. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: We felt that everyone in New Hampshire understands the benefits of wearing a seat belt and that the adults in the State of New Hampshire have that option and probably most of them now exercise it more often than not and this is unnecessary legislation.

SENATOR HOUGH: I rise in strong opposition to the committee's report on SB 2-FN. Senator Preston has abolished me from the left wing of the room to just read the journal of the last session and I dare say that I could read the journal of the last ten years and you'd

find the comments that I have would be the same. I was at the hearing, took testimony on this bill and I know they gave it a fair and open hearing. I am inclined to be a little antagonistic as the result of this committee report, but experience and better judgment would indicate that I guess, regrettably, I have to leave it lay because I certainly would be incorrect recognizing what the committee has done on SB 3, which comes next. All I can say is that there is an ever increasing public awareness and as long as I'm a member of this body you'll see this bill and ultimately it will become public policy. It is not a question of liberty or freedom, it's a question of basic intelligence and we will have this discussion at a later date when I will conclude by thanking the committee for their positive report on SB 3 and there will be another day.

Adopted.

Senator Hough wished to be recorded in opposition.

SB 3-FN, relative to child passenger restraints in motor vehicles. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: The Transportation committee supported this bill, four of it's members voting affirmatively. This would increase the use of seat belts required from age five to age twelve. Testimony indicated to us that the use of seat and shoulder belts reduced the risk of fatal accidents in children in that age group 40-55%. I think most importantly, it was interesting to me to hear someone who disagrees more often than not with the bills that they support it. It was the American Civil Liberties Union saying that in these cases, mandating seat belts for youngsters for up to 12 years of age, who are not properly able to make judgments in their own behalf, that they would support the up to 12 year olds. I thought that was quite a change. But, more importantly, I think the children in the younger age groups, as the generations come along, are forming habits that will go with them through their lifetimes. I know that in my case, having children ride in the car, they make you buckle up before you can drive them any where. I think we'll proceed to learn from them, so I urge your support on this bill that would buckle up all kids to age 12.

SENATOR MCLANE: I can't let this moment go by without thanking again, the kids from Kimball School that educated us all, the last time. I just thought that we ought to thank them again as we go forward with this bill. I'm very, very, very pleased and I also want to say for Senator Podles, that she didn't get on it, but she did the work in the last session.

Adopted. Ordered to Third Reading.

SB 95-FN, establishing a minimum fine for violating the boat decibel limits. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: If you'll note, the sponsorship of this piece of legislation would indicate to you its merit. The bill increases the fines for violating the boat decibel limits on noise from \$44 to \$100. The Department of Safety, deputy commissioner Doug Patch, testified in favor and said that more enforcement was required but increasing the fines might send a message to the violators.

Adopted. Ordered to Third Reading.

SB 180, relative to abandoned vehicles. Ought to Pass with Amendment. Senator Currier for the Committee.

SENATOR CURRIER: I rise in support of the committee report, the amendment is on page 18 of your calendar. Basically what this bill does is, it helps us get rid of some of the junk cars that are now being abandoned on the sides of highways and in public ways and other land masses, in regards to the fact that landfills now are not actually taking some of these vehicles. The bill adds new provisions for the storing of low value vehicles. It adds new penalties for abandoning vehicles and changes the notice requirements on removing abandoned vehicles.

AMENDMENT TO SB 180

Amend RSA 262:40-a, I(b) as inserted by section 2 of the bill by replacing it with the following:

[II.] (b) Notify a peace officer that he wishes to have such a vehicle removed from his property, whereupon the peace officer or another authorized official [shall] **may** cause the removal of such vehicle pursuant to the removal, impoundment and notice procedures required by this subdivision.

Amend RSA 262:40-c, I and II as inserted by section 3 of the bill by replacing them with the following:

I. Notwithstanding RSA 262:31-262:40-a, whenever a peace officer finds that a vehicle which is subject to removal and impoundment under this subdivision is not in running condition and is worth less than \$500 but does not qualify under paragraph II, he shall so indicate to the person towing the vehicle on a form prepared by the

director; and he shall send a copy to the director. Any vehicle which is determined by the officer to be in this condition may then be destroyed 30 days after this determination is made, provided RSA 262:34 has been complied with, unless the director otherwise instructs the person who is storing the vehicle that the full procedure required under this subdivision shall be followed.

II. Notwithstanding RSA 262:31-262:40-a, whenever a peace officer finds that a vehicle which is subject to removal and impoundment under this subdivision is no longer intended or in condition for legal use on the ways of the state, he shall so indicate to the person towing the vehicle on a form prepared by the director; and he shall send a copy to the director. Any vehicle which is determined by the officer to be in this condition may be destroyed 5 working days after this determination is made.

Amend the bill by replacing section 5 with the following:

5 New Sections; Removal and Disposal of Vehicles. Amend RSA 262 by inserting after section 36 the following new sections:

262:36-a Disposal by Storage Company.

I. If the owner of a motor vehicle removed or stored pursuant to RSA 262:33 or RSA 262:40-a does not claim the vehicle within 30 days, and the vehicle is more than 5 years old at the time of removal, the storage company may dispose of such vehicle upon written notice to the director.

II. If the vehicle is less than 5 years old at the time of removal and the vehicle has not been claimed within 30 days, the storage company may dispose of such vehicle after 15 more days if the notice has been given to the director and the notice is published at least once in a newspaper of general circulation in the area.

RSA 262:36-b Disposal by Wrecker Operator: Whenever a wrecker operator is required to remove and impound a vehicle pursuant to RSA 262:33 or RSA 262:40-a and the vehicle is no longer intended or in condition for legal use on the ways of the state, as determined by the person towing the vehicle, such vehicle may be disposed of within 5 working days if the wrecker operator certifies the same on a form prepared by the director.

6 Removal of Notice Requirement. Amend RSA 262:37 to read as follows:

262:37 Sale Authorized. If the vehicle shall have been stored pursuant to this subdivision [for a period of 90 days] **and all the time requirements of RSA 262:36 have been met**, the custodian of the vehicle may sell the same, at his place of business at public auction, for cash. [No sale under this section shall be valid unless the notice required by RSA 262:38 shall have been given.]

7 Repeal. The following are repealed:

I. RSA 262:38, relative to notice of sales of abandoned vehicles.

II. RSA 262:40-b, relative to reporting unclaimed vehicles.

8 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill authorizes the director of the division of motor vehicles to suspend vehicle registrations and to refuse to register vehicles in cases where persons are convicted of abandoning a vehicle, or of abandoning a vehicle without paying for the costs of removing, storing, and destroying the vehicle.

The bill requires police departments to keep a log of requests and notices for the removal of abandoned vehicles.

The bill also adds new provisions for destroying low value vehicles, junk vehicles, and vehicles of a certain age, adds new penalties for abandoning a vehicle, and changes the notice requirements for removing abandoned vehicles.

Amendment adopted. Ordered to Third Reading.

SB 189 relative to the study of New Hampshire commuter rail service. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: The amendment adds the town of Salem as a member of this study committee and we recommend the amendment ought to pass.

AMENDMENT TO SB 189

Amend subparagraph I(j) as inserted by section 2 of the bill by replacing it with the following:

(j) A representative of each of the surrounding communities' governing bodies, being Hudson, Amherst, Milford, Merrimack, Litchfield, Hollis, and Salem, appointed by the governor with the consent of the council.

Amend paragraph II as inserted by section 2 of the bill by replacing it with the following:

II. The member of the senate named to the committee shall set the time and place of the first meeting and shall call it. The members of the committee shall select a chairman from among the members at the initial committee meeting. The committee shall meet at least 4 times for a period of one year from the date all its members are notified of appointment, and at the call of the chair.

Amendment adopted. Ordered to Third Reading.

SB 73-FN, establishing a committee to study taxing smokeless tobacco. Ought to Pass with Amendment. Senator McLane for the Committee.

SENATOR MCLANE: This bill was originally a study committee for just smokeless tobacco. We had read much of the information put out by the medical community on smokeless tobacco and it was somewhat to our amazement that, you might call this sin, didn't have a sin tax to go along with it. We thought it was about time, so originally the bill was for just smokeless tobacco. We have now added to the study cigars and pipe tobacco because we feel that all of these should be taxed as cigarettes are. We hope that this study will go over to the House and that perhaps they will have time to deal with it in this session.

AMENDMENT TO SB 73-FN

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a committee to study taxing all tobacco products.

Amend section 1 of the bill by replacing it with the following:

1 Committee Established; Purpose. A committee is hereby established to develop the means for the proper execution of a tax on all tobacco products and to make recommendations on how tobacco products in addition to cigarettes should be taxed.

Amend paragraph I as inserted by section 2 of the bill by replacing it with the following:

I. The committee shall consist of the following members:

- (a) The president of the senate or his designee.
- (b) The speaker of the house or his designee.
- (c) One member of the house ways and means committee appointed by the speaker of the house.
- (d) One member of the senate ways and means committee appointed by the senate president.
- (e) The governor or his designee.
- (f) The commissioner of the department of revenue administration or his designee.
- (g) One representative from the tobacco industry, to be appointed by the governor.

(h) One representative from the medical profession, to be appointed by the governor.

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. The committee shall:

- (a) Examine the current tax on cigarettes.
- (b) Examine tobacco tax laws from other states, including laws which tax smokeless tobacco.
- (c) Recommend statutory changes for the implementation of a smokeless tobacco tax, or a tax on all tobacco products, including cigarettes.
- (d) Examine any other pertinent information.

AMENDED ANALYSIS

This bill establishes a committee to study how all tobacco should be taxed, including smokeless tobacco. The committee shall:

- (1) Examine the current tax on cigarettes.
- (2) Examine tobacco tax laws from other states, including laws which tax smokeless tobacco.
- (3) Recommend statutory changes for the implementation of a smokeless tobacco tax, or a tax on all tobacco products, including cigarettes.

The committee must submit its findings along with any recommendations for legislation, to the governor, senate president and speaker of the house, no later than December 1, 1989.

Amendment adopted. Ordered to Third Reading.

SB 116-FN, to establish a committee to study the distribution of revenue from the meals and rooms tax. Inexpedient to Legislate. Senator Currier for the Committee.

SENATOR CURRIER: It was determined, through the hearing process, that this bill was really not necessary regarding the distribution of revenues. In some regards the confidentiality of the business rooms and meals tax information based on county and local levels were not available because of the confidentiality. We recommend inexpedient to legislate.

Adopted.

SB 192-FN relative to certification of landscape architects. Ought to Pass with Amendment. Senator Freese for the Committee.

SENATOR FREESE: The Senate Executive Departments Committee heard testimony of elevating landscape architects to professional status. We recommend ought to pass with amendment. You will find the amendment on page 20 of today's calendar. The amendment more clearly defines the landscape architects and the differences between the landscape architect and the building architect and the land surveyor. Without the defined efforts for the amendment, there was some overlap in the original bill. The bill establishes a board of four landscape architects, with one public member. The legislation does not prevent others from doing landscape architect activity, but it does prevent them from being certified with a title. Today, with environmental and ethical concerns being uppermost on people's minds, this legislation is aimed at protecting the consumer. Certification should be allowed for examination performance and education or work experience. As landscape architecture becomes a field unto its own, and less an adjunct of the basic engineering and architecture services, it seems only right that these professionals have some way to register their profession and to provide standards against which to measure their performance. We hope you will support the committee report of ought to pass with amendment.

SENATOR PRESTON: Senator Freese, is there anything in this bill that precludes anyone from practicing landscaping? Are there any certain types of public bids that people would be precluded from participating in?

SENATOR FREESE: There is nothing that I'm aware, and that was discussed at the hearing, that stops anyone from practicing landscape architecture, but it did provide that they weren't certified if they weren't in good standing with the board. So, they could practice it but they wouldn't be certified. If you want to be protected, if this bill passes, you have to be sure you hired an architect that was certified.

SENATOR PRESTON: On page 8, it says, does not exceed aggregate more than 30 days in any calendar year, for out-of-state people coming in. I respect the need for licensing in certain instances, but I'm often bothered whether it's real estate brokers, plumbers or electricians who would preclude others. Life and safety isn't at stake here. You are not precluding any nursery people or gardeners today from pursuing their profession in any way nor are you restricting anyone in or out-of-state doing work in the state.

SENATOR FREESE: The answer is no, we are not.

SENATOR KING: I only want to take just a few moments of your time, but I do want to say that every licensing bill, and this is a licensing bill whether it says that it's a certification bill or not is irrelevant. It is a bill that licenses those who call themselves landscape architects. Every licensing bill that comes before this body or the House is a bill which is, quote is to protect the consumer. In fact, most often that bill is a restraint of trade in one way or another, which means that while in the name of protecting the consumer we are, in fact, causing the actual purchase of those services to be more expensive than they need to be. There is no compelling public safety reason, in my opinion, why we ought to be limiting the trade relative to landscape architecture and so I'm going to vote against this bill. I know that I have a lot of folks that work in this field up in my district and, if indeed, as Senator Freese has said, that people can continue to practice and do the same thing the landscape architects do, but they just can't call themselves landscape architects, then I'm not sure what the purposes is at all. I think that the amendment that I had intended to offer would have said that you could call yourself a certified landscape architect and that we would certify them. But, not that we would restrain trade in some way so that the cost to consumers would be more. We ought to have a free market in this area until such time as it's proved that there is a serious public safety risk.

SENATOR ROBERGE: Senator King, in the industry there's no reason why someone can't call themselves a landscaper but, when they use the term landscape architect it sets a certain criteria for accidents and dependability and this is what these people are trying to do. You are not increasing the costs. All it's doing is insuring that the consumer gets their money. It's a good bill.

AMENDMENT TO SB 192-FN

Amend RSA 301-B:1, IV as inserted by section 1 of the bill by replacing it with the following:

IV. "Landscape architecture" means the rendering of professional service such as consultation, investigation, research, land planning, design, preparation of drawings and specifications, or responsible observation of construction in connection with the development of land areas. The dominant purpose of such services is the preservation, enhancement, or determination of proper land uses. This includes natural land features, planting, naturalistic and aesthetic values, the settings and approaches to structures or other circulation improvements, the shaping and contouring of land and

water forms, and determining environmental impacts and problems of land, including erosion, sedimentation, and other hazards. This practice includes the location and arrangement of such tangible objects and features as are incidental and necessary to the purposes outlined herein in accordance with accepted professional standards for public health, safety and welfare and as may be prescribed by local or state authorities. This shall not include the design of structures or facilities as are ordinarily included in the practice of engineering or architecture and shall not include the making of land surveys. This paragraph shall not be construed to prohibit those engaged in nursery occupations or as gardeners or landscape contractors from preparing planting plans and items incidental thereto.

Amend RSA 310-B:5, I as inserted by section 1 of the bill by replacing it with the following:

I. Each applicant for certification shall pay to the secretary a fee, established by the board, for which he shall be entitled to an examination or to a reexamination, if necessary, within one year.

Amend RSA 310-B:5, VI as inserted by section 1 of the bill by replacing it with the following:

VI. At any time before 6 months from the effective date of this chapter, upon application and the payment of the required fee, the board shall issue a certification, without written or oral examination, to any person who shall submit sufficient evidence to the board, under oath, of their:

Amend RSA 310-B:8, I as inserted by section 1 of the bill by replacing it with the following:

I. The practice of landscape architecture by a person not a resident of and having no established place of business in this state in connection with, or on account of, landscape architectural work or construction being carried on, or to be carried on, in this state when such practice, wherever performed, does not exceed in the aggregate more than 30 days in any calendar year if such person is legally qualified to the title of landscape architect in his own state or country in which the requirements and qualifications for obtaining a certificate or license are not lower than those specified in this chapter. Practice for any portion of a day shall be deemed to be performed for a whole day and days of practice shall be measured consecutively from the first day to, and including, the last day of each engagement on which such person or his agent performs or has an obligation to perform landscape architecture.

Amendment adopted. Ordered to Third Reading.

SB 144-FN, relative to blood alcohol tests. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: The amendment to SB 144-FN can be found on page 17 of calendar number nine. Essentially, what the amendment does is to expand the rule making authority for laboratory certification under the Department of Health, the Division of Public Health. It calls for them to identify the procedures for certification of laboratories and their personnel. This is an additional protection for those people who happen to be stopped for driving under the influence. That is the amendment that we're speaking to.

AMENDMENT TO SB 144-FN

Amend the bill by replacing section 2 with the following:

2 Rulemaking for Laboratory Certification. Amend RSA 125:15-a, V to read as follows:

V. The methods, procedures, and techniques for the testing of blood, urine and breath to determine blood alcohol content, **and the procedures for certification of laboratories and their personnel**, as described under RSA 265:85, V.

3 Rulemaking for Laboratory Certification. Amend RSA 265:85, V to read as follows:

V. The director of the division of public health services shall adopt rules pursuant to RSA 541-A relative to:

(a) Methods and procedures for the testing of blood, urine, and breath to determine blood alcohol content[;].

(b) Techniques or methods for ascertaining the qualifications and competence of individuals to conduct such tests[;].

(c) Methods and procedures for the delivery and processing of samples of such tests[;].

(d) Forms relative to taking samples for blood alcohol content tests for admission as evidence pursuant to RSA 265:90, IV[; and].

(e) Procedures for certification of any laboratory and its personnel that conducts tests pursuant to RSA 265:86.

[(e)](f) Such other matters as are required to carry out the provisions of this chapter relative to blood alcohol content tests.

4 Effective Date. This act shall take effect January 1, 1990.

AMENDED ANALYSIS

Under present law, when a person is arrested for driving under the influence of alcohol or drugs and is subject to the implied con-

sent law, the sample of the blood taken for the blood alcohol test must be of sufficient quantity to allow for 2 tests. This bill eliminates that requirement.

This bill also limits persons who administer additional tests to arrestees subject to the implied consent law, to those persons who have been determined competent and qualified by the director of the division of public health services.

The bill requires the director of the division of public health services to adopt rules, under RSA 541-A, relative to procedures for certification of laboratories and their personnel that conduct additional blood alcohol tests under RSA 265:86.

Amendment adopted.

Senator Johnson offered a floor amendment.

SENATOR JOHNSON: I'd like to make sure that everybody knows that this bill, SB 144-FN, is a bill that was worked on by the Department of Safety, the Attorney General's office and also the Division of Public Health. It really has to do with strengthening the state's position and their ability to prosecute drunk drivers. The floor amendment adds this statement here, on page 2, namely that it shall not be a prerequisite to the admission of the state's test result that the state provide an arrested person with a sample of blood, breath or urine, which is taken for testing purposes. I might inform the body that when we finish with the amendment there will be a motion to lay this on the table at which time a resolution will be offered that will be sending SB 144 over to the Supreme Court for constitutional interpretation.

Floor Amendment to SB 144-FN

Amend the bill by replacing section 1 with the following:

1 Sample Eliminated. Amend RSA 265:86 to read as follows:

265:86 Additional Tests. Any person to whom RSA 265:84 is applicable shall have the right at his own expense to have similar tests made by [any] a person of his own choosing **who is qualified and competent to conduct the tests, as determined by the director of the division of public health services under RSA 265:85**, and shall be so informed by the law enforcement officer at the same time as the person is requested to permit a test under the provisions of RSA 265:84. The failure or inability of an arrested person to obtain an additional test shall not preclude the admission of any test taken at the direction of a law enforcement officer. Nothing herein shall require the release from custody of the arrested person for the pur-

pose of having such additional test made. [For the purpose of this section, the sample of blood taken pursuant to RSA 265:84 shall be of sufficient quantity to allow 2 tests; and the testing laboratory shall retain for a period of 30 days subsequent to the test conducted pursuant to RSA 265:84 a quantity of said sample sufficient for another test, which quantity shall be made available to the respondent or his counsel immediately upon request.] **It shall not be a prerequisite to the admission of the state's test result that the state provide an arrested person with a sample of the blood, breath or urine which it has taken for testing purposes.**

AMENDED ANALYSIS

Under present law, when a person is arrested for driving under the influence of alcohol or drugs and is subject to the implied consent law, the sample of the blood taken for the blood alcohol test must be of sufficient quantity to allow for 2 tests. This bill eliminates that requirement.

This bill also limits persons who administer additional tests to arrestees subject to the implied consent law, to those persons who have been determined competent and qualified by the director of the division of public health services.

The bill adds a provision to the section on additional blood alcohol tests that it shall not be a prerequisite to the admission of the state's test result that the state provide an arrested person with a sample of the blood, breath or urine which it has taken for testing purposes. Floor Amendment adopted.

Senator Johnson moved to lay SB 144-FN on the table.
Adopted.

INTRODUCTION OF SENATE RESOLUTION

Senator Johnson offered SR 4, requesting an opinion of the justices concerning the constitutionality of SB 144-FN.

SENATOR JOHNSON: SR 4 simply provides a vehicle for transferring SB 144-FN over to the Supreme Court for a constitutional interpretation.

Adopted.

RECONSIDERATION

Senator Bond moved reconsideration on SB 18 and moved to put it on second reading at the present time.

Adopted.

SB 18, relative to forest and brush fires and enforcement powers of the division of forests and lands.

Senator Bond offered a floor amendment.

SENATOR BOND: In our last session we passed with amendment, SB 18. The entire bill as amended is in your hands. When we passed it there was a slight omission. We did not give a penalty for failure to obey the cease and desist order so that the amendment that you have corrects the amendment as it was included in the calendar on our last session. In each section it now says, a person failing to comply with the cease and desist order shall be guilty of a violation. Because of that omission, I requested that we reconsider it and propose this further amendment.

Floor Amendment to SB 18

Amend the title of the bill by replacing it with the following:

AN ACT

relative to forest and brush fires and enforcement powers
of the division of forests and lands.

Amend RSA 224:1-c as inserted by section 1 of the bill by replacing it with the following:

224:1-c Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and desist order against any act in violation of this chapter, not specifically covered by other penalty provisions. Any such act may be enjoined by the superior court, upon application of the attorney general. A person failing to comply with the cease and desist order shall be guilty of a violation.

Amend section 18 of the bill by replacing it with the following:

18 New Section; Enforcement. Amend RSA 79 by inserting after section 28 the following new section:

79:28-a Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and desist order against any act in violation of this chapter not specifically covered by other penalty provisions. Any such act may be en-

joined by the superior court, upon application of the attorney general. A person failing to comply with the cease and desist order shall be guilty of a violation.

19 New Section; Enforcement. Amend RSA 149 by inserting after section 19 the following new section:

149:19-a Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and desist order against any act in violation of this chapter not specifically covered by other penalty provisions. Any such act may be enjoined by the superior court, upon application of the attorney general. A person failing to comply with the cease and desist order shall be guilty of a violation.

20 Enforcement. Amend RSA 483-A by inserting after section 5-b the following new section:

483-A:5-c Cease and Desist Orders; Penalty. The director of the division of forests and lands, department of resources and economic development, or his authorized agents, shall issue a written cease and desist order against any act in violation of this chapter not specifically covered by other penalty provisions. Any such act may be enjoined by the superior court, upon application of the attorney general. A person failing to comply with the cease and desist order shall be guilty of a violation.

21 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill makes various changes to the statutes on forest and brush fires. The term "district chief" is changed to "forest ranger". The term "mill waste" is changed to "mill residue". The term "horse-drawn vehicle" is also deleted. Under this bill, the director of the division of forests and lands may issue cease and desist orders for violations of RSA 224 when not covered by other penalties.

This bill also gives the director of the division of forests and lands, department of resources and economic development or his authorized agents authority to issue cease and desist orders under RSA 79, RSA 149, and RSA 483-A.

This bill was requested by the division of forests and lands, department of resources and economic development.
Floor Amendment adopted. Ordered to Third Reading.

TAKEN OFF THE TABLE

Senator Bond moved to take SB 157, relative to special license plates for solid waste haulers off the table.

Adopted.

Senator Torr offered a floor amendment.

SENATOR TORR: The amendment replaces the total bill and what it does is it requires solid waste haulers, except haulers of septage, to apply to the Division of Motor Vehicles for a specially designated plate to be attached to all commercial vehicles hauling wastes traveling on New Hampshire roads and pay a fee for that privilege.

SENATOR HEATH: Senator Torr, I just want to ask you a question to establish something for the record. Is there anything in here that shows any legislative intent, on our part, to regulate haulers in terms of granting territories?

SENATOR TORR: No, there is nothing in this portion that regulates haulers.

Floor Amendment to SB 157-FN

Amend the bill by replacing section 1 with the following:

1 New Section; Waste Hauler Plates. Amend RSA 261 by inserting after section 93 the following new section:

261:93-a Solid Waste Hauling Vehicles. Owners of commercial vehicles used for hauling solid waste, except septage shall apply to the division of motor vehicles for a special license plate, which shall be in addition to any other required license plate, designating the vehicle as a solid waste hauler. The director of the division of motor vehicles shall issue a special series of license plates designed to clearly identify those vehicles used for commercial solid waste hauling and shall collect a fee as established by the commissioner of safety. All vehicles traveling on New Hampshire roadways engaged in commercial solid waste hauling shall be required to display the special license plate. The commissioner of safety shall enforce the provisions of this section.

AMENDED ANALYSIS

This bill requires solid waste haulers, except haulers of septage to apply to the division of motor vehicles for a specially designated license plate to be attached to all commercial waste hauling vehicles traveling on New Hampshire roads and pay a fee therefor as established by the commissioner of safety.

Floor Amendment adopted. Ordered to Third Reading.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of the bills ordered to third reading be read a third time by this resolution and that all titles be the same as adopted, and that they be passed at the present time; and that when we adjourn, we adjourn until Thursday, February 9, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Third Reading and Final Passage

SB 58-A, appropriating funds to reimburse the highway surplus account used for rehabilitation of the Cornish-Windsor bridge.

SB 151-A, directing the commissioner of the department of transportation to complete New Hampshire Route 101.

SB 152-FN-A, relative to a study of a portion of the Spaulding Turnpike and making an appropriation therefor.

SB 181, making technical changes in certain laws relating to dams.

SB 199 relative to the revocation or suspension of fish and game licenses.

SJR 1-FN, recognizing the importance of recycling.

SB 115-FN, establishing a committee to study private sector involvement in public education.

SB 43-FN, relative to licensing engineers, architects, and land surveyors.

SB 140-FN, relative to elderly property tax exemptions and increase in the assessed valuation of real estate.

SB 174-FN, relative to the regulation of estheticians.

SB 185-FN establishing a board of natural scientists study committee.

SB 1-FN-A, making an appropriation to the liquor commission for air-conditioning.

SB 172-FN-A, relative to the capital reserve fund and making an appropriation therefor.

SB 4-A, making supplemental appropriations for fiscal year 1989.

SB 82-FN, relative to judicial retirement pay and to vested rights in judicial retirement compensation.

SB 146-FN, relative to judicial salaries.

SB 88-FN, providing a cost of living adjustment for certain Group I members.

SB 31, relative to renovation of the Rochester post office as a district court facility.

SB 97-FN, relative to the distribution of drug forfeiture money.

SB 16, relative to post-termination commissions paid to sales representatives.

SB 32-FN, relative to drug offenses.

SB 44-FN, requiring the Superior Court to adjudicate paternity in certain contested cases.

SB 52, relative to drug paraphernalia.

SB 56-FN, relative to the disposition of fines and forfeitures collected for violations of municipal ordinances, codes and regulations.

SB 76, establishing a committee to study durable powers of attorney for health care.

SB 107, relative to the right to know law.

SB 125, adopting the uniform trade secrets act.

SB 173, adopting uniform commercial code Article 2A-leases.

SB 196, relative to bail reform.

SJR 2, establishing a national veterans' cemetery in New England.

SB 3-FN, relative to child passenger restraints in motor vehicles.

SB 95-FN, establishing a minimum fine for violating the boat decibel limit.

SB 180, relative to abandoned vehicles.

SB 189 relative to the study of New Hampshire commuter rail service.

SB 73-FN, establishing a committee to study taxing all tobacco products.

SB 192-FN relative to certification of landscape architects.

SB 18, relative to forest and brush fires and enforcement powers of the division of forests and lands.

SB 157, relative to special license plates for solid waste haulers.

CACR 1, relating to meetings of the general court. Providing that the general court shall meet biennially.

(3/5th vote needed for final passage). Division vote:

19 Yeas

4 Nays

Adopted.

Senator Hough moved reconsideration on SB 172-FN-A.

Motion failed.

Senator Hough moved reconsideration on SB 4-A.

Motion failed.

Senator Dupont moved to adjourn.

Adopted.

Adjournment

February 9, 1989

The Senate met at 1:00 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, help us to recognize and take unto ourselves - the spirit and the selfless work for the advancement of our country and the people - by two of our great presidents - whom we honor this month, "George Washington and Abraham Lincoln". May our lives be enriched as we too, try to carry on in our own dealings with people! Bless us so to do, Lord.

Amen

Senator Nelson led the Pledge of Allegiance.

Senator Freese was excused for the day.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 17 through 114-FN shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 17, changing the language of the oath administered to petit jurors in criminal cases. (Judiciary)

HB 52, relative to rail accident reporting requirements. (Transportation)

HB 69, relative to highway vending facilities operated by the blind. (Transportation)

HB 114-FN, allowing the district courts to approve petitions for services other than counsel. (Judiciary)

COMMITTEE REPORTS

SB 96-A, relative to the Portsmouth district court and the Concord district court and making an appropriation therefor. Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: SB 96 as amended includes only the section relative to the Portsmouth district court. A further section of the amendment makes it effective upon passage. There has been a purchase and sales agreement entered into by the state and the city of Portsmouth that is in effect only until April 1st of this year, for \$1.75 million. This will allow the state to purchase the court house it is currently using. It was built as a court house. The state could probably never build a better court house for as good a price and I urge you to accept this.

SENATOR MCLANE: Senator Krasker, can I assume that the Concord district court was taken off so that this would speed this bill ahead and meet your April 1st deadline? And, that the Concord district court will be a part of the capital budget?

SENATOR KRASKER: Yes, that is our understanding. The money for the Concord court house is already in the capital budget. The separation was only for the purpose of fast tracking the Portsmouth court house.

SENATOR MCLANE: Thank you.

AMENDMENT TO SB 96-A

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the Portsmouth district court and
making an appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 Appropriation; Department of Administrative Services. The sum of \$1,750,000 shall be appropriated to the department of administrative services for the biennium ending June 30, 1991, for the purchase of the property known as the Portsmouth district court consistent with the agreement described in the purchase and sales agreement entered into between the state and the city of Portsmouth for this purpose. The commissioner of administrative services shall be au-

thorized to purchase the property, on behalf of the state of New Hampshire, for use as a district court, subject to acceptance by the governor and the executive council.

2 Bonding Authorization. To provide funds for the purposes of section 1 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state in a sum not exceeding \$1,750,000, and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

3 Payments. The payment of principal and interest on bonds and notes issued for the project in section 1 shall be made when due from the general fund.

4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill appropriates funds for the purchase of the Portsmouth district court.

Amendment adopted. Ordered to Third Reading.

SB 22, relative to certain forestry activities in wetlands. Ought to Pass with Amendment. Senator Bond for the Committee.

SENATOR BOND: SB 22 allows for flexibility in the licensing by the wetlands board in cases where there is a minimum impact of cutting wood. It makes it possible for an interim permit by the local forestry to be put in place. The problem at present is that wetlands may take so long to issue a permit to cut that it economically effects the forester and woodcutter.

The amendment is on page five. The wetlands board and the department of forest and lands have collaborated in writing this legislation and we urge your support.

AMENDMENT TO SB 22

Amend the Bill by replacing all after the enacting clause with the following:

1 New Paragraph; Exemption. Amend RSA 483-A:1 by inserting after paragraph IV the following new paragraph:

V.(a) Persons who have complied with notice of intent to cut wood requirements under RSA 79:10 shall have satisfied the permitting requirements of this section for minimum impact activities as defined by rules adopted by the wetlands board.

(b) The filing of an intent to cut under RSA 79:10 shall be considered as permission to the wetlands board or the department of re-

sources and economic development, or their agents, to enter the property for determining compliance with this chapter.

(c) This paragraph shall apply only after the owner or his agent responsible for harvesting timber in a forested wetland has properly filed a notice of intent to cut wood or timber with the appropriate municipal official.

2 Intents Forwarded. Amend RSA 79:10 to read as follows:

79:10 Notice of Intent to Cut. Every owner, as defined in RSA 79:1, II, shall, at the beginning of each tax year and prior to commencing each cutting operation, file with the proper assessing officials in the city or town where such cutting is to take place a notice of intent to cut provided by the commissioner of revenue administration, stating his name, residence, social security number, an estimate of the volume of each species to be cut, and such other information as may be required. A supplemental notice of intent shall be filed in the same manner for any additional volume of wood or timber to be cut in excess of the original estimate and within the tax year. The appropriate copies of all intents received by a city or town shall be forwarded to the commissioner of revenue administration by the assessing officials. Upon receipt of an original intent, the commissioner of revenue administration shall assign an operation number and furnish, without cost to the owner, a certificate and report of wood cut form. Such certificate shall be posted by the owner filing such intent in a conspicuous place within a city or town. The appropriate [copy] **copies** of all intents [received by the commissioner of revenue administration] shall be forwarded to the division of forests and lands of the department of resources and economic development **and to the wetlands board by the owner at the time it is filed with the assessing official in the city or town. Copies forwarded to the wetlands board and the department of resources and economic development shall be accompanied by a copy of the appropriate United States Geological Survey topographic map with the type and location of all wetland and water body crossings clearly indicated.** Starting an operation before the appropriate notice of intent to cut has been filed with the city or town shall constitute a misdemeanor by the owner or any other person doing the cutting, or both. Failure to post the certificate on the job in a conspicuous place upon receipt shall constitute a violation **under this chapter and under RSA 483-A.**

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill exempts persons engaged in minimum impact activities

from certain wetland notice requirements when they have complied with requirements for notices of intent to cut wood.

It requires owners to submit to the wetlands board appropriate copies of all intent to cut notices filed under RSA 79:10.

Amendment adopted. Ordered to Third Reading.

SB 40, relative to speed limits for power boats on the Connecticut River: Ought to Pass with Amendment. Senator McLane for the Committee.

SENATOR MCLANE: This bill originally was a forty mile an hour in the day and twenty mile at night speed limit on the Connecticut River. It turns out that the problems on the Connecticut River would not have been helped by that speed limit. What we finally ended up with was an amendment, on page 8, which merely directs the safety department to post at every entry of boats on the Connecticut River, the sign that says they must observe headway speed when the river is less than 300 feet wide. It is our assumption that on those places in the river, where water skiing and fast motor boats would be allowed, will be posted by the safety department.

SENATOR DISNARD: What speed is headway speed?

SENATOR MCLANE: I believe it's six miles an hour. It's defined as no wake.

AMENDMENT TO SB 40

Amend the title of the bill by replacing it with the following:

AN ACT

requiring the department of safety to post headway speed limits on the Connecticut River.

Amend section 1 of the bill by replacing it with the following:

1 New Section; Posting Headway Speed Limits on Connecticut River: Amend RSA 486 by inserting after section 37 the following new section:

486:38 Connecticut River. The department of safety, division of safety services, shall post at all boat launching sites on the Connecticut River, within the jurisdiction of the state, a speed limit of headway speed within 150 feet of the shoreline. Any person who violates the posted speed limits shall be guilty of a violation.

AMENDED ANALYSIS

This bill requires the division of safety services department of safety

to post at all boat launching sites, a speed limit of headway speed within 150 feet of the shoreline on the Connecticut River.
Amendment adopted. Ordered to Third Reading.

SB 48-FN, authorizing the sale of a certain parcel of state land to a water district. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill authorizes the transfer of a piece of land from the state to the Swain Lake River Village water district. Apparently, they have a water problem, a toxic waste problem and the environmental protection agency built a water treatment facility. In order to transfer ownership of that facility to the water district, the water district has to own the land. I urge the Senate to vote this bill ought to pass.

Adopted. Ordered to Third Reading.

SB 50, relative to metering liquid hazardous waste. Ought to Pass with Amendment. Senator Bond for the Committee.

SENATOR BOND: SB 50 requires those hauling hazardous waste to meter what they are carrying. In order to deal with any ambiguity in the definition of hazardous waste, it exempts the transporting of gasoline or diesel fuel

AMENDMENT TO SB 50

Amend the title of the bill by replacing it with the following:

AN ACT

relative to measuring liquid hazardous waste.

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Measuring Waste. Amend RSA 147-A:6 by inserting after paragraph VII the following new paragraph:

VIII. A transporter of liquid hazardous waste shall be required to accurately determine the amount of hazardous waste being collected from each generator and transported in tank trucks. Such determinations shall be made through metering, sticking, weighing or other means approved by the division. The transporter shall determine and record the amount of liquid waste on the hazardous waste manifest accompanying the waste shipment. This paragraph shall not be construed to apply to transportation or delivery of gasoline or diesel products.

AMENDED ANALYSIS

This bill requires hazardous waste transporters to measure and

keep records of the amount of liquid hazardous waste collected from each generator. The bill declares that this requirement shall not apply to persons transporting or delivering gasoline or diesel fuel.

Any person violating these provisions shall be guilty of a misdemeanor.

Amendment adopted. Ordered to Third Reading.

SB 62-FN, relative to golf courses and discretionary easements for the purpose of current use taxation. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: This bill prohibits land being used for a golf course from being conveyed as a discretionary easement to a town or city under the law, relative to current use taxation. Several years ago there was a change in the statute which made this permissible. It was the intent of the sponsor that this issue be dealt with. The bill as written didn't fill that and it is something that should be considered in the future, but we have chosen now not to deal with it.

SENATOR ST. JEAN: Senator Bond, would you think it appropriate that we send this perhaps to interim study so that I could work on the language and then hope it would do what I had hoped it would do initially?

SENATOR BOND: Notwithstanding the editorial comments from the far corner, Senator whatever you think would be the best treatment for this bill is what you should move.

Adopted.

Senator Charbonneau wished to be recorded as taking Rule 44.

SB 86, prohibiting ski craft on Big Island Pond and Wilson Pond. Ought to Pass with Amendment. Senator Bond for the Committee.

SENATOR BOND: As originally presented, this bill would have excluded the use of jet ski craft on Wilson Pond in the town of Salem and Big Island Pond in Derry, Atkinson and Hampstead. Because, it was the opinion of the committee that a later bill dealing with jet skis would prevail in the issue of Big Island Pond, we excluded that and dealt only with the power craft on Wilson Lake in the town of Salem. You will find that amendment on page 10.

AMENDMENT TO SB 86

Amend the title of the bill by replacing it with the following:

AN ACT

prohibiting ski craft on Wilson Lake.

Amend the bill by replacing section 1 with the following:

1 New Section; Wilson Lake. Amend RSA 486 by inserting after section 37 the following new section:

486:38 Wilson Lake. The use or operation of a ski craft, as defined in RSA 270:73, V, is prohibited on Wilson Lake in the town of Salem. Any person violating this section shall be guilty of a violation.

AMENDED ANALYSIS

This bill prohibits the use or operation of ski craft on Wilson Lake in the town of Salem.

Amendment adopted. Ordered to Third Reading.

SB 149-FN, relative to driver's licenses for minors. Inexpedient to Legislate. Senator Disnard for the Committee.

SENATOR DISNARD: The committee recommends inexpedient to legislate, unanimous vote. The reason - the sponsor and the co-sponsor withdrew their sponsorship, thus there wasn't any hearing or testimony.

Adopted.

SB 24, relative to liquor store displays and promotions. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: The amendment to SB 24 is found on page 6 and what has happened here is that the amendment is now the bill itself. In dealing with liquor, there are a good deal of rules and regulations that need to be passed into legislation. SB 24, as amended, brings the state's procedures in line with federal procedures and it establishes a limit on how much a promoter can spend. The final analysis is whatever is done is done only with the permission of the retailer himself.

SENATOR NELSON: I noticed in the amended analysis on page 6 it says that it eliminates the position of the executive director of the liquor commission. Is that what is happening in this?

SENATOR JOHNSON: Senator Nelson, one of the problems with the way we're writing these amended analyses is that we don't identify the bill number; so the analysis to which you refer refers to the previous bill and not the one before us. The amended analysis is on page 7.

AMENDMENT TO SB 24

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; Liquor, Wine, and Beverage Advertisement.

Amend RSA 177 by inserting after RSA 177:5 the following new subdivision:

Liquor, Wine, and Beverage Advertisement

177:6 Definition. In this section "product display" means any wine rack, bin, placard, poster, sign, and the like on which beverages, wine, or liquor are displayed and sold.

177:7 Product Advertisement. An industry member may furnish, give, rent, loan, or sell product displays to a retailer, subject to the following conditions and limitations:

I. Equipment, inside signs, supplies, services, or other things of value furnished by an industry member to a retailer shall not be conditioned on the purchase of liquor, wine or beverages.

II. Product displays shall bear conspicuous and substantial advertising material.

III. The total value of all product displays, furnished by an industry member may not exceed \$134, as of July 1, 1989, per brand in use at any one time in any one retail establishment. The value of a product display shall be the actual cost to the industry member who initially purchased it. Transportation and installation costs shall be excluded.

IV. Industry members shall not pool or combine, as of July 1, 1989, their dollar limitations to provide a retailer a product display valued in excess of \$134.

V. A cost adjustment factor shall be used to periodically update the dollar limitations contained in this section. The cost adjustment factor shall be the same as set by the Director of the Bureau of Alcohol, Tobacco and Firearms, and shall be set annually.

177:8 Retailer Advertising Specialties.

I. An industry members may furnish, give, rent, loan, or sell retailer advertising specialties to a retailer if such items bear advertising material and are primarily valuable to the retailer as a means of advertising. These items may include, but are not limited to; coasters, mats, menu cards, wine lists, meal checks, paper napkins, foam scrapers, back bar mats, thermometers, clocks and calendars. The name or name and address of the retailer may be added to the advertising specialty.

II. An industry member may sell glassware to a retailer if the glassware is sold at a price not less than it cost the industry member who initially purchased it, and if the price is collected within 30 days of the date of the sale.

III. The total value of all retail advertising specialties furnished by an industry member to a retailer may not exceed, as of July 1, 1989, \$72 per brand in any calendar year per retail establishment. The value of a retailer advertising specialty shall be the actual cost of that item to the industry member who initially purchased it. Transportation and installation costs shall be excluded.

IV. Industry members shall not pool or combine, as of July 1, 1989, their dollar limitations to provide a retailer with advertising specialties valued in excess of \$72.

177:9 Consumer Advertising Specialties and Coupons.

I. Consumer advertising specialties, such as ash trays, bottle or can openers, cork screws, shopping bags, matches, printed recipes, pamphlets, cards, leaflets, blotters, post cards, and pencils, which bear advertising material may be furnished, given, or sold to a retailer for unconditional distribution by the retailer to the general public. The retailer shall not be paid or credited in any manner directly or indirectly for the distribution of such items.

II. Contest prizes, premium offers, refunds, and similar items may be offered by industry members directly to consumers. Officers, employees and representatives of wholesalers or retailers shall be excluded from participation.

2 Name Change. Amend RSA 175:16, I(a) to read as follows:

(a) Intervene in the selection, employment or dismissal of any liquor representative, wine [solicitor] **representative**, or other agent or employee of any distiller, importer, rectifier, or other holder of a manufacturer's permit or license, liquor vendor's license, or manufacturer's wine certificate;

3 Name Change. Amend RSA 175:16, II to read as follows:

II. It shall be unlawful for any member or employee of the commission knowingly to intervene in the selection, employment or dismissal of any liquor representative, wine [solicitor] **representative**, or other agent or employee of any distiller, importer, rectifier, or other holder of a manufacturer's permit or license, liquor vendor's license, or manufacturer's wine certificate.

4 Name Change. Amend RSA 175:16, III to read as follows:

III. It shall be unlawful, except as authorized by procedural regulations promulgated by the commission, for any liquor representative, wine [solicitor] **representative**, liquor vendor, or wine vendor knowingly to intervene in the stocking, display, listing, delisting, or marketing policies, practices, or decisions of the commission regarding products authorized by the commission to be sold in this state.

5 Name Change. Amend RSA 178-A:7 to read as follows:

178-A:7 [Solicitor's] **Wine Representative's** License. A [solicitor's] **wine representative's** license shall authorize the holder [thereof] to offer for sale or solicit orders for the sale of any wine if the vendor of such wine is the holder of a manufacturer's license or certificate. [Solicitors'] **Wine Representative's** licenses shall be issued upon the recommendation of the vendor whom the [solicitor] **wine representative** represents. A licensed [solicitor] **wine representative** may also employ registered sales agents in accordance with RSA 178-A:7-a.

6 Name Change. Amend RSA 178-A:7-a to read as follows:

178-A:7-a Registered Sales Agents.

I. A [solicitor] **wine representative** licensed under RSA 178-A:7 may employ sales agents who shall be registered with the commission.

II. The registration fee for sales agents shall be \$37.50.

III. Sales agents may, under the supervision of a licensed [solicitor] **wine representative**, offer for sale or solicit orders for wine if the vendor of such wine is the holder of a manufacturer's license or certificate.

IV. Notwithstanding RSA 178-A:8, the registration of sales agents shall expire annually on the same date as the license of the supervising [solicitor] **wine representative**.

V. A sales agent shall only offer wine for sale or solicit orders for wine while in the employ of a licensed [solicitor] **wine representative**.

7 Name Change. Amend RSA-A:9, VI to read as follows:

VI. [Solicitor's] **Representative's** License - \$37.50.

8 Effective Date. This act shall take effect on July 1, 1989.

AMENDED ANALYSIS

This bill changes the name of a wine solicitor to a wine representative. The bill also details the extent to which industry members may display their products and promote their products with consumers and retailers and the cost of such advertising.

Amendment adopted. Ordered to Third Reading.

SB 28, relative to property purchases by executive departments Ought to Pass with Amendment. Senator Stephen for the Committee.

SENATOR STEPHEN: This bill deals with clearing up any confusion that a department or an agency in state government may have had relative to proper procedure for property purchases of non-budget items. This amendment adds one additional loop to the chain

by stating that all requests must come before legislative fiscal committee as well as the Governor and Council. This is to maintain the system of checks and balance that any democratic government should try very hard to sustain especially when dealing with the taxpayers money. The amendment changes it from \$20,000 to \$7,500 and the committee voted ought to pass with amendment.

Senator Torr moved to substitute indefinite postponement for the committee report.

Adopted.

SB 127, relative to licensing physical therapists. Ought to Pass. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: This bill is primarily a housekeeping measure. We passed a bill last year dealing with the physical therapists. In that bill there was a section concerning rules which the board of medicine was to present to the administrative rules committee. However, there seems to be confusion as to what we actually meant and what we passed last year. They have not been able to come up with rules as yet. The bill should make certain areas crystal clear so that the board of medicine will be able to get the rules to the administrative rules committee as soon as possible. The committee's recommendation is ought to pass.

Adopted. Ordered to Third Reading.

SB 145-FN, to authorize municipalities to segregate non-tax revenue. Ought to Pass with Amendment. Senator Currier for the Committee.

SENATOR CURRIER: Basically this is a management tool for the cities and towns. It helps them in terms of restricting revenues from specific sources through expenditures for specific purposes. I urge you to support the committee report.

Amendment to SB 145-FN

Amend the title of the bill by replacing it with the following:

AN ACT

to authorize municipalities to establish special revenue funds.

Amend the bill by replacing all after the enacting clause with the following:

1 New Sections; Special Revenue Funds. Amend RSA 31 by inserting after section 95-b the following new sections:

31:95-c Special Revenue Funds. Towns may, pursuant to RSA 31:95-d, vote to restrict revenues from a specific source to expenditures for specific purposes. Such revenues and expenditures shall be accounted for in a special revenue fund separate from the general fund. Any surplus in such fund shall not be deemed part of the general fund accumulated surplus nor shall any surplus be expended for any purpose or transferred to any appropriation until such time as the legislative body shall have voted to appropriate a specific amount from said fund for a specific purpose related to the purpose or source of the revenue. This section shall not be construed to prohibit the establishment of capital reserve funds pursuant to RSA 35:1 or town created trust funds pursuant to RSA 31:19-a. The provisions of this section shall be limited to those town activities funded primarily through user fees including, but not limited to, municipal airports and solid waste facilities.

31:95-d Procedure for Adoption.

I. Any town may adopt the provisions of RSA 31:95-c to restrict revenues from a specific source to expenditures for specific purposes in the following manner:

(a) In a town, the question shall be placed on the warrant of a special or annual town meeting under the procedures set out in RSA 39:3, and shall be voted on by ballot. The question shall not be placed on the official ballot.

(b) The selectmen shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be: "Shall we adopt the provisions of RSA 31:95-c to restrict revenues from (**here insert source**) to expenditures for the purpose of (**here insert purpose**)? Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the () fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of the revenue."

II. If a majority of those voting on the question vote "Yes", RSA 31:95-c shall apply within the town on a date set by the selectmen.

III. If the question is not approved, the question may later be voted upon according to the provisions of RSA 31:95-d, I.

IV.(a) Any town which has adopted RSA 31:95-c may consider rescinding its action in the manner described in RSA 31:95-d, I(a) and

(b). The wording of the question shall be the same as set out in RSA 31:95-d, I(c), except the word "adopt" shall be changed to "rescind."

(b) If a majority of those voting on the question vote "Yes", RSA 31:95-c shall not apply within the town.

2 New Sections; Special Revenue Funds. Amend RSA 47 by inserting after section 1-a the following new section:

47:1-c Special Revenue Funds. Cities may, pursuant to RSA 47:1-d, vote to restrict revenues from a specific source to expenditures for specific purposes. Such revenues and expenditures shall be accounted for in a special revenue fund separate from the general fund. Any surplus in such fund shall not be deemed part of the general fund accumulated surplus nor shall any surplus be expended for any purpose or transferred to any appropriation until such time as the legislative body shall have voted to appropriate a specific amount from said fund for a specific purpose related to the purpose or source of the revenue. This section shall not be construed to prohibit the establishment of capital reserve funds pursuant to RSA 34 or city created trust fund pursuant to RSA 31:19-a. The provisions of this section shall be limited to those municipal activities funded primarily through user fees including, but not limited to municipal airports and solid waste facilities.

47:1-c Procedure for Adoption.

I. Any city may adopt the provisions of RSA 47:1-b to restrict revenues from a specific source to expenditures for specific purposes in the following manner:

(a) The legislative body may consider and act upon the question in accordance with their normal procedures for passage of resolutions, ordinances, and other legislation. The question shall not be placed on the official ballot.

(b) The city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be: "Shall we adopt the provisions of RSA 47:1-b to restrict revenues from (**here insert source**) to expenditure for the purpose of (**here insert purpose**)? Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the () fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of the revenue."

II. If a majority of those voting on the question vote "Yes", RSA 47:1-c shall apply within the city on a date set by the city council.

III. If the question is not approved, the question may later be voted upon according to the provisions of RSA 47:1-c, I.

IV.(a) Any city which has adopted RSA 47:1-b may consider rescinding its action in the manner described in RSA 47:1-c, I(a) and (b). The wording of the question shall be the same as set out in RSA 47:1-c, I(c), except the word "adopt" shall be changed to "rescind."

(b) If a majority of those voting on the question vote "Yes", RSA 47:1-b shall not apply within the city following the date of the vote.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill enables cities and towns to vote to restrict revenues from a specific source to expenditures for specific purposes. This city or town determines the source and the purpose of the expenditures. Amendment adopted. Ordered to Third Reading.

SB 79-FN, relative to state employee bargaining rights. Ought to Pass with Amendment. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: This bill actually allows the state employees the same bargaining rights that the counties and municipalities have now. The bill expands the bargaining issues to be negotiated by the state on behalf of the state employees. The bill also changes the rule making authority of the director of personnel. The committee's recommendation is ought to pass with amendment.

Senator Dupont moved to lay SB 79-FN on the table.

Division vote: 5 Yeas 15 Nays

Motion failed.

AMENDMENT TO SB 79-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Rulemaking Areas Limited. RSA 21-I:43, II is repealed and re-enacted to read as follows:

II. The director of personnel shall adopt rules, pursuant to RSA 541-A, which shall apply to employees in the classified service of the state, relative to:

- (a) Classification, except for the classification plan.
- (b) What constitutes a completed request for reclassification.

2 New Paragraph; Reference Addition. Amend RSA 21-I:43 by inserting after paragraph II the following new paragraph:

II-a. The director of personnel shall adopt rules, pursuant to RSA 541-A, which shall apply to employees in the classified service of the state who are not covered by a contract negotiated under RSA 273-A:9, relative to:

(a) Compensation and rates for employee maintenance reimbursement.

(b) Recruitment.

(c) Examination.

(d) Selection.

(e) Appointment.

(f) Promotion.

(g) Demotion.

(h) Transfer.

(i) Discipline.

(j) Removal.

(k) Layoff.

(l) Attendance and leave.

(m) Holidays.

(n) Training.

(o) Merit rating.

(p) The information which shall be required to be listed on the employee roster.

(q) Availability of division records for public inspection, including identification of those records or portions of records for which exemption under RSA 91-A:5 is claimed.

(r) Evaluation.

(s) Designation of the employee's work place.

3 Bargaining Issues Expanded. Amend RSA 273-A:9, I to read as follows:

I. Cost items [, and]; terms and conditions of employment [.,]; **issues relating to classified personnel (except as provided in RSA 21-I:43, II) including, but not limited to, the items enumerated in RSA 21-I:43, II-a (a)-(s); and other items not otherwise prohibited by RSA 273-A:3, III** affecting state employees generally shall be negotiated by the state, represented by the governor as chief executive, with all interested bargaining units. Negotiations regarding terms and conditions of employment unique to individual bargaining units shall be negotiated individually with the representatives of those units by the governor.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill expands the bargaining issues to be negotiated by the state on behalf of state employees. The bill also changes the rule-making authority of the director of personnel.

Amendment adopted. Ordered to Third Reading.

SB 90-FN, providing a 4% cost of living adjustment for group II members. Ought to Pass with Amendment. Senator Delahunt for the Committee.

SENATOR DELAHUNTY: SB 90 provides a 2% cost of living adjustment for group II members. The original bill was 4% which we then reduced to 2%. Those funds will come out of the special account and we've been assured that there is enough money in there to cover the 2%. The committee's recommendation is ought to pass with amendment.

AMENDMENT TO SB 90-FN

Amend RSA 100-A:42-c, II as inserted by section 1 of the bill by replacing it with the following:

II. As of July 1, 1989, all group II beneficiaries of the New Hampshire retirement system or of its predecessor systems who retired prior to July 1, 1988, and who are receiving retirement allowances according to RSA 100-A or to RSA 100, RSA 102, or RSA 103, shall receive an additional allowance of 2 percent. As of July 1, 1990, all group II beneficiaries of the New Hampshire retirement system or of its predecessor systems who retired prior to July 1, 1989, and who are receiving retirement allowances according to RSA 100-A or to RSA 100, RSA 102, or RSA 103, shall receive an additional allowance of 4 percent. The additional allowances shall become a permanent part of each beneficiary's base retirement allowance, as provided in RSA 100-A:42-a.

AMENDED ANALYSIS

This bill provides a 2 percent cost of living adjustment for group II New Hampshire retirement system beneficiaries who retired prior to July 1, 1988, effective July 1, 1989, and a 4 percent cost of living adjustment for those same beneficiaries who retired prior to July 1, 1989, effective July 1, 1990. The additional allowances become a permanent part of the beneficiary's base retirement allowance.

Funding for the additional allowance comes from the retirement system special account, RSA 100-A:16, II(h).

Amendment adopted. Ordered to Third Reading.

SB 92-FN, relative to bargaining rights of state employees. Inexpedient to Legislate. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: SB 92-FN, the primary reason the Insurance Committee felt this bill should be voted inexpedient to legislate was that this was an issue that did not belong in legislation but on the bargaining table. We really did not have very much discussion about the merits of the issue because this is something that should be decided by two parties, namely the employee and the employer. It really doesn't need a third party trying to take away an issue that could be part of the bargaining session, especially this year when issues rather than wages are probably going to be the main area of discussion. We also want to be consistent and in prior sessions we have voted down the right-to-work issues for various reasons. One of which, again, is that the legislature is the wrong avenue for this issue. This is something that should be decided by the employee and employer discussing it together. The committee's recommendation is inexpedient to legislate.

Adopted.

Senator Johnson wished to be recorded as opposed.

SB 11, prohibiting ski craft on various lakes of the state. Inexpedient to Legislate. Senator St. Jean for the Committee.

SENATOR ST. JEAN: SB 11 is inexpedient to legislate. We have a bill coming next week that will deal with the problems of jet skis. I don't want to belabor the point, but I think the Senate has spent enough time on jet skis and it's suffice to say that this is inexpedient to legislate.

Senator Johnson moved to lay SB 11 on the table.

Adopted.

SB 23, relative to the executive director of the liquor commission. Ought to Pass with Amendment. Senator St. Jean for the Committee.

SENATOR ST. JEAN: SB 23 eliminates the position of the executive director which was formerly held by Mr. Hurley. It was the sense of the Internal Affairs Committee that the liquor commissioners in the next few years will be running the liquor commission, we've given them that opportunity. They felt they could do that.

The amendment deals with them coming to grips with the game plan that they intend to have for the years to come for the liquor commission. We felt that this was a particularly good piece of legislation and it will allow them once and for all to prove themselves as capable and competent administrators of the liquor commission.

AMENDMENT TO SB 23

Amend the bill by replacing all after section 8 with the following:

9 Report. The liquor commission shall make a report to the senate president and the speaker of the house on or before October 1, 1989, concerning, but not limited to, information on increases in sales, projected increases in profits, and the status of changes to be made pursuant to this act.

10 Repeal. The following are repealed:

I. RSA 176:7-b, relative to the position and responsibilities of the executive director:

II. RSA 176:10-d, IV, relative to listing and delisting recommendations of the executive director.

11 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill eliminates the position of executive director of the liquor commission. The bill requires the directors of marketing and merchandising, store operations, financial reporting and analysis, data processing, and warehousing and transportation to report directly to the liquor commission.

The bill also requires the liquor commission to report to the senate president and the speaker of the house on or before October 1, 1989, about increases in sales, projected profit increases, and the status of changes made under this bill.

Amendment adopted. Ordered to Third Reading.

SB 81-FN, relative to the management of court facilities. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: This bill transfers the responsibility for the leasing management and maintenance of all court facilities except for the Supreme Court facility to the department of administrative services. Justice Johnson explained that he did not feel that the judges were the best ones to be in charge of the buildings and their maintenance. Beginning in 1990, in the budget request, the commissioner of administrative services shall submit the budgets rather

than the Supreme Courts. It's their feeling that this will be a more efficient way to administer the court building, maintenance and so forth.

AMENDMENT TO SB 81-FN

Amend RSA 490:26 as inserted by section 3 of the bill by replacing it with the following:

490:26 Building and Facilities. The supreme court shall control all space, facilities, and equipment in the supreme court building and shall employ sufficient numbers of persons to provide custodial services and general maintenance supervision for the building. The commissioner of administrative services shall provide any additional maintenance and repair to keep the building in suitable repair and condition for use by the supreme court and law library, subject to the availability of appropriated funds.

Amend RSA 490:26-c, I and II as inserted by section 4 of the bill by replacing it with the following:

I. Three dollars from each entry fee collected in the municipal, district, superior, and probate courts shall be deposited in escrow for court facility improvements. Moneys in the escrow fund shall be used for improvements to existing facilities by the department of administrative services as recommended and approved by the supreme court.

II. The state treasurer shall establish procedures for deposits to and expenditures from the escrow fund for court facilities. The escrow fund shall be a dedicated capital reserve fund for the improvement of existing court facilities, or those facilities acquired pursuant to an act of the general court.

Amend RSA 490-B:3 as inserted by section 5 of this bill by replacing it with the following:

490-B:3 Responsibilities. The state, through the department of administrative services, shall provide and maintain suitable court facilities for the conduct of all court sessions held within each judicial district and county, subject to the availability of appropriated funds. The supreme court shall make recommendations to the department of administrative services as to suitable court facilities, and said facilities shall be accessible for the conduct of court business at times and under conditions deemed appropriate by the supreme court.

Amend RSA 490-B:5, I as inserted by section 7 by replacing it with the following:

I. Beginning with the moneys to be appropriated for fiscal year 1990, the supreme court in consultation with the commissioner of

administrative services shall include in each budget request, in a designated separate program appropriation unit, sufficient funding to meet the space and operating requirements reported by the supreme court pursuant to RSA 490-B:4.

Amendment adopted. Ordered to Third Reading.

SB 197-FN, transferring pipeline safety functions from the public utilities commission to the division of safety services. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: SB 197 gives the fire marshall's office authority to enforce a federal regulation that is mandated by federal law. Presently, we have a department within the PUC that handles one component of this function that has one employee and in order to have good enforcement statewide, it is necessary to give this to the fire marshall so that he can delegate this authority to the local fire chiefs.

SENATOR JOHNSON: Senator Dupont, we passed a week or so ago, a bill that would establish a division of fire safety. If and when that gets passed and signed, will this function then go to the division of fire safety vice the division of safety services?

SENATOR DUPONT: Senator, that language that we passed last week moved all meetings and responsibilities at the time in the existing statutes, so this statute will be moved over to the state.

AMENDMENT TO SB 197-FN

Amend the title of the bill by replacing it with the following:

AN ACT

granting the bureau of fire safety the authority to regulate
liquid propane gas pipeline safety.

Amend the bill by replacing section 1 with the following:

1 New Subparagraph; Regulation of Liquid Propane Gas Pipeline Safety. Amend RSA 21-P:12, III, by inserting after subparagraph (c) the following new subparagraph:

(d) Regulation of liquid propane gas pipeline safety.

Amend the bill by deleting section 2 and renumbering section 3 to read as 2.

AMENDED ANALYSIS

This bill establishes authority for regulating functions regarding liquid propane gas pipeline safety within the bureau of fire safety, department of safety.

Amendment adopted. Ordered to Third Reading.

SB 71, authorizing the removal of a boat and mooring under certain circumstances. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: This was at a request from the mooring appeals board and the intent of this is to prevent abuse of the process and violation of the spirit of the legislation on mooring that we passed a couple of years ago. This is a necessary tool for the Department of Safety and the mooring appeals board in order to accomplish their goals.

SENATOR DISNARD: Senator, if an individual has had his or her boat removed, who's responsible for the storing, protection and liability if something happens to that craft?

SENATOR HEATH: I'm only assuming, I can not give you a definitive answer because there are other laws pertaining that have nothing to do with this law. But I would believe that once they have been notified that they have been denied and they have been given the opportunity, and I think the opportunity is ten days or two weeks, if they haven't removed it then I think then they have assumed any liability by the state removing it.

SENATOR DISNARD: Would you believe that I don't see that in here at all? All I see is that the owner has a right to appeal after the fact and I just want to know why a boat was removed and I wasn't notified and something happened to it, who's responsible for my boat?

SENATOR HEATH: I would assume that law that pertains to the responsibility would be the same as when you remove an automobile from a street that you're trying to plow or it's been removed for other reasons. I think that's an issue that's settled all ready in another law.

Adopted. Ordered to Third Reading.

SB 72, authorizing the department of resources and economic development to negotiate development rights and timber rights with private land owners. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: I sponsored this bill. I had a specific intent in mind to do with an exchange of development rights for timber rights on some property in the north country. It turns out that the bill is far too broad and could not, under other statutes, be implemented, so I would move inexpedient to legislate.

Adopted.

SB 93-FN, relative to the number of primary ballots to be used for computerized voting machines. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: The current legislation requires the secretary of state to print and distribute one ballot for every registered voter in the elections concerned with here. In actual fact, only about 20% of those ballots are used, the remaining 80% get tossed away and handled and mishandled and tossed away. SB 93 allows the secretary of state to use his discretion and good judgment in determining how many ballots should be printed and distributed.

Adopted. Ordered to Third Reading.

SB 143, relative to the sale of customer lists by a public utility. Inexpedient to Legislate. Senator Bass for the Majority. Ought to Pass. Senator Johnson for the Minority

SENATOR BASS: This bill prohibits the sale of customer list by public utilities without prior written consent of customers. The majority report was inexpedient to legislate. It is my understanding that there may be some negotiations and settlement with respect to this particular issue within the company that's mostly effective; i.e. the telephone company.

Senator Dupont moved to recommit SB 143 to committee.

SENATOR JOHNSON: Obviously there's been a good deal of time and energy spent on SB 143. I had a discussion with Senator Dupont this afternoon. He is a member of a consumer advisory group with New England Telephone. I think the thrust of the discussion is that New England Telephone realizes that they may now be in an unpopular position and I think this recommitment to the committee will allow the New England Telephone Company an opportunity to take a second look at this and we'll look and wait to see what comes out of it.

SENATOR BLAISDELL: I will certainly support Senator Dupont's motion, but I disagree Senator Johnson, that you put the telephone company in an untenable position and they're trying to deal. I don't accept that at all, but I will go along with the motion.

Motion Adopted.

SB 78-FN-A, making appropriations to the WIC program. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: SB 78 is a request for an appropriation to the WIC program. It's a federal/state matching program and it provides food, nutritional education and health service to 14,000 low income women, infants and children. In the last session, the legislature by a special funding action, made it possible for WIC to serve 500 extra persons. SB 78 is a request to continue this funding for the next biennium to at least maintain and serve and service these extra 500 persons. Studies reveal that for every dollar spent on WIC, prenatal preventive services, up to three dollars or more is saved on health care treatment cost. The need here is very real. The program works and it's a proven cost effective preventive health program which is an investment in our future and I feel very strongly that the state funding should continue.

The amendment on page 8 of the calendar just corrects the year of the biennium from 1990 to 91 and I urge support for ought to pass with amendment.

AMENDMENT TO SB 78-FN-A

Amend the bill by replacing all after the enacting clause with the following:

1 Appropriation. The sum of \$110,000 for the fiscal year ending June 30, 1990, and the sum of \$115,500 for the fiscal year ending June 30, 1991, are appropriated to the division of public health services, department of health and human services, to fund maintenance of the women, infants and children program. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

2 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill makes an appropriation for the women, infants and children program administered by the division of public health services, department of health and human services.

Amendment adopted. Referred to Finance (Rule #24)

SB 99-FN, supplementing the funding for programs which assist victims of domestic violence. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: In 1988 New Hampshire established a non-lapsing fund to assist victims of domestic violence. This funding was accomplished by an increase in the marriage license fee, a mecha-

nism that is currently used by 28 other states. SB 99 increases the marriage license fee from \$20 to \$40, with \$33 going to provide funding for organizations which assist victims of domestic violence. The town and city clerks will continue to receive the \$7.00 fee which is for their administrative costs. Unlike other states which provide state funding in addition to marriage license fees, this is New Hampshire's sole source of support for these programs. Any group that receives funding from this program must also provide a 50% match from other sources to show community support and I urge your support.

Adopted. Ordered to Third Reading.

SB 113-FN-A, relative to medicaid coverage of dental benefits for all categorically eligible recipients and making an appropriation therefor. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: For many years this bill has been before the House and the Senate. It's always an expensive bill and it has been turned down. Although the appropriation remains the same as it goes down to Senate Finance, it is our assumption that it will be drastically changed because we have been working with the dental society who hope they can extend to welfare mothers the same program that they are now giving to indigent elderly. So, it is the assumption of the Public Institutions, Health and Human Services Committee that if this bill progresses on down to Finance, that the price tag will become much more realistic.

Adopted. Referred to Finance (Rule #24).

SB 120-FN, relative to acute care. Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: In recent years, New Hampshire has experienced a rise in hospital costs at a rate faster than inflation. The greatest single factor in these rising health costs have been capital construction expenditures. SB 120 addresses the issue of these rising medical care costs. The bill, as amended, establishes a two year moratorium on the certificate of need of approval of construction of new acute care beds and it also establishes a committee to study the entire issue of the acute care needs of the State of New Hampshire. Then report its findings by December 1, 1989. I urge your approval.

SENATOR JOHNSON: Senator Krasker, I understand that there is a certificate of need committee that's supposed to deal with these issues there and my question is; does this bill suggest that that committee really isn't working?

SENATOR KRASKER: I don't want to make that kind of statement. I think it's fair to say though, the committee felt that there was a need to study the issue independently of this committee. The certificate of need board before our committee said they had not discussed the issue since that time. They have taken a vote and voted not to oppose the creation of another committee. So, I think we should assume that they're supportive of it.

SENATOR NELSON: Senator Krasker, I'd like to follow-up on Senator Johnson's question. Was there any thought of including another member from the certificate of need committee on this committee? After all they've dealt with this issue for years and have a good handle on it.

SENATOR KRASKER: No. There was no suggestion made to this committee by the certificate of need board to have a member of their committee on this committee.

SENATOR NELSON: Senator Krasker, during this testimony, did they say how many new acute care hospitals have been put up over the last five years?

SENATOR KRASKER: I can look up that information for you. There are proposals. Currently there are six acute care applications under review.

SENATOR DISNARD: Senator Krasker, I wasn't at the hearing. The small hospitals in my district are very concerned about this bill. What is their reason why they are against this bill?

SENATOR KRASKER: They probably won't be against the bill as amended. If approval has all ready been given for the hospital then the construction will proceed. This will only involve a two year moratorium on hospital construction that has not yet been approved.

AMENDMENT TO SB 120-FN

Amend the bill by replacing section 1 with the following:

1 Moratorium Affecting Acute Care. There is hereby established a moratorium on the certificate of need approval of construction for new acute care beds under RSA 151-C. The moratorium shall end 2 years from the effective date of this act.

AMENDED ANALYSIS

This bill establishes a 2 year moratorium on the certificate of need approval of construction for acute care beds under RSA 151-C.

Additionally, the bill establishes a study committee to examine the acute care needs of this state. The committee is required to submit its report together with recommendation to the governor and the general court no later than December 1, 1989.

Amendment adopted. Ordered to Third Reading.

Senators Podles, Delahunty, Magee and Stephen wished to be recorded as opposed.

SB 133-FN, making an appropriation for Title XX grants and protective and preventive child care. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: SB 133 makes an appropriation of \$400,000 for each year of the next biennium for protective and preventive child care. This program is for children remaining in households where they have previously been abused, neglected or exploited. In some families, this is preferable to removing the children completely from the family and having them live elsewhere. It's certainly in the best interest of the child and it's a very cost effective alternative. Removing a child from a family and placing him or her in a group home costs \$1,500 a month, while the cost of child day care costs only \$300 a month. SB 133 provides for 100 new day care slots in order to bring the number of slots back to the 1985 levels. The number of slots since 1985 has decreased. I urge its approval.

Adopted. Referred to Finance (Rule #24).

SB 147-FN-A, relative to waiting lists for developmentally disabled persons and making an appropriation therefor. Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: SB 147 addresses the needs of many individuals with disabilities to receive necessary services. At the present time over 800 individuals are on waiting lists awaiting assistance in four areas of need; early intervention, training and employment, housing and respite. Some have been waiting as long as four years. We had a very emotional and jam packed hearing and we heard countless stories about the damage caused by the long delay in services. Some children who need early intervention will never catch up. The legislation was supported by Don Shumway, the director of mental health and developmental disabilities, and the education department at the voc-rehab. The legislation establishes an advisory committee to assist the director of the division of mental health and developmental services to set priorities for the allocations of funds to eliminate these waiting lists.

The amendment adds a representative from the parents information center to the committee. \$2.5 million is appropriated for each year of the biennium for this purpose and I urge ought to pass.

SENATOR JOHNSON: Senator Krasker, were you satisfied with the testimony of the division of vocational-rehabilitation, that they indeed need additional monies in order to provide the vocational placement services and training services for this population?

SENATOR KRASKER: Yes. We felt that the testimony was adequate and indicated that additional funding was needed. They just could not eliminate the waiting list with the funds they had available.

SENATOR JOHNSON: If the division of vocational-rehabilitation got part of this allocation would that then be met by 80% federal funds?

SENATOR KRASKER: I don't have the answer to that, Senator Johnson. Perhaps one of the sponsors could answer that. I really don't know what match is included or if a match is included. Don Shumway indicated that his request for his division is for even more money than's included in this bill. That this is actually a modest amount in comparison to the need.

SENATOR PODLES: Senator Krasker, could you give us the number of people that are on this waiting list, waiting for services?

SENATOR KRASKER: I can look it up, but by memory there are over 800.

SENATOR PODLES: It is 800?

SENATOR KRASKER: It's over 800.

AMENDMENT TO SB 147-FN-A

Amend subparagraph I(g) of section 2 of the bill by replacing it with the following:

(g) One representative from the Parent Information Center appointed by such center.

(h) Three parents of persons with disabilities and 3 members of different family support groups to be appointed by the director of the division of mental health and developmental services.

Amendment adopted. Referred to Finance (Rule #24)

SB 153-FN-A, requiring the director of human services to establish annually the standard of need for AFDC recipients and making an appropriation therefor. Ought to Pass with Amendment. Senator McLane for the Committee.

SENATOR MCLANE: The family support act that was passed by the federal government requires every state to evaluate their AFDC need and payment standards. The original bill asks for the director of human services to establish that need and pay for it. The final tab was pretty appalling and so, we all agreed that perhaps a study for a year would make the point more clearly that welfare mothers in this state live with less than half of the proven standard of need, particularly with the cost of housing in New Hampshire. The reevaluation of the AFDC program has not taken place in New Hampshire in 15 years. The reason being, that no one wanted to do the study because they didn't want to know what the cost was. This study would include, and this study is being demanded by law, an independent study of actual living costs and would design the standard of need so it would give the greatest incentive to employment by avoiding the termination of assistance before a family was really self-sufficient. Enabling these families to live within the standards, which has always been a part of the law, to subsist compatibly with decency and health. It was the feeling of the sponsors of this legislation and it is the feeling of the division that these women and children are not living compatibly with decency and health and they're certainly not living in a manner that is helpful to themselves or for their growing children. The study committee's duties are established as written by the division and, as I said, the bill calls for a study instead of the established standard of need.

AMENDMENT TO SB 153-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a committee to study the AFDC program.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose. Recently enacted federal legislation entitled the Family Support Act of 1988 mandates certain changes in the aid to families with dependent children program intended to assist families on AFDC to find employment which will lead to self-sufficiency. The Family Support Act also requires that states reevaluate AFDC need and payment standards. In New Hampshire, a reevaluation of

AFDC standards based on actual costs has not been undertaken in over 15 years. It is the purpose of this bill to provide for such reevaluation, including an independent study of actual living costs, and to study the ways in which AFDC need and payment standards can be designed to create the greatest incentive to employment by avoiding the termination of all assistance to working families before they are truly self-sufficient, and to ensure that AFDC benefits for working families are adequate to enable recipients to subsist compatibly with decency and health.

2 Committee Established; Duties. There is established a legislative study committee to study the aid to families with dependent children program under RSA 167. The duties of the committee shall be:

I. To study the actual costs of raising a child compatibly with decency and health, while taking into account to the greatest extent practical differences in any relevant factors, including but not limited to family sizes, ages of children, geographic region, and employment income and expenses.

II. To study methods of changing the current AFDC standard of need, payment standard, maximum payments, computation methods and resource rules, consistent with federal regulations, in order to create a greater incentive to employment by avoiding the termination of assistance prematurely.

III. To direct the department of health and human services to commission an independent study of the topics in paragraph I and II to be submitted to the committee to assist it in its duties.

IV. To determine the standard of need, payment standards, maximum payments, computation methods and resource rules which best achieve the purpose of this act.

V. To recommend legislation to implement its findings.

3 Membership. The membership of the committee shall be:

I. Two members from the house of representatives, one each from the health and human services committee and the children, youth and juvenile justice committee, appointed by the speaker of the house.

II. Two members from the senate, one each from the public institutions, health and human services committee and the finance committee, appointed by the president of the senate.

III. The commissioner of the department of health and human services or designee.

IV. Three members from the general public appointed by the governor. One shall be an AFDC recipient, one shall be an employer or representative of the business community, and the third shall be a member from the public at large.

V. One member employed by a nonprofit organization working with AFDC recipients, appointed by the commissioner, department of health and human services.

4 Appointments; Meetings; Chair. Appointments to the committee shall be made within 30 days of the passage of this act. The commissioner, department of health and human services, or designee, shall convene the first meeting within 60 days of the effective date of this act. At its first meeting the committee shall elect a chair. The department of health and human services shall provide all necessary staff assistance to the committee.

5 Report. The committee shall make a report of its findings and recommendations, including any proposed legislation for the 1990 legislative session, to the speaker of the house, the president of the senate, and the governor, no later than December 1, 1989.

6 Compensation. Members of the board shall serve without compensation, but legislative members of the committee shall be reimbursed for mileage at the legislative rate, and the state employee members shall be reimbursed at the state employee mileage rate.

7 Appropriation. The sum of \$15,000 from federal funds and the sum of \$15,000 from state funds are hereby appropriated for the fiscal year ending June 30, 1990, to the department of health and human services for the purpose of commissioning the independent study as provided in section 2, paragraph III of this act. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

8 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill establishes a study committee to examine the aid to families with dependent children program under RSA 167.
Amendment adopted. Referred to Finance (Rule #24)

SB 170-FN-A, establishing an emergency shelter telephone service and a pilot housing voucher program, and making appropriations therefor. Ought to Pass with Amendment. Senator McLane for the Committee.

SENATOR MCLANE: Senator Podles and I have served for two years on a Governor's Commission on the Homeless. Two years ago we met all over this state to have nine public hearings on the homeless. We have then met for a year to go over the recommendations as they have come forward from the division of mental health and from the committee. We had an appropriation in the last session of \$1.4 million which went directly to present emergency shelters.

This is one of the two bills put in by the committee on the homeless. It establishes an emergency shelter telephone service which will coordinate requests from all over the state for emergency shelter. That will be an already existing hot line that has been in effect in Merrimack County. The voucher part of the program, the amendment changes from being administered by the division of mental health to the New Hampshire Housing Authority, which already has such a program in effect, but did not have funding for it. This bill is one of two put forth by the Homeless Commission and I hope you will send this bill down to Finance.

AMENDMENT TO SB 170-FN-A

Amend the bill by replacing sections 4-8 with the following:

4 Municipal Housing Voucher Aid Pilot Program Established. There is hereby established a pilot municipal housing voucher aid program to be administered by the New Hampshire housing finance authority. The pilot program shall provide grants to municipalities, on a matching grant basis, to assist primarily tenants but also certain homeowners, in continuing to pay their housing costs by enabling rent or certain other housing costs to be paid on a voucher system basis.

5 Operation of Municipal Voucher Programs. A municipal voucher program shall be funded by a special fund to be established and administered by the municipality. Tenants and certain homeowners assisted through the voucher program shall pay a portion of their adjusted gross income toward monthly rent or certain other housing costs, which shall amount to no greater than 30 percent of such adjusted gross income. The balance of the housing cost shall be supplied from the fund established by the municipality for the purpose of receiving grant moneys and matching grant moneys under the pilot program. Moneys to be distributed under the voucher program shall not be used to pay for temporary housing such as motels or hotels, but shall be used solely to pay for costs of permanent housing.

6 Grants to Municipalities; Eligibility. Only municipalities shall be eligible for grants to fund voucher programs. Grants shall be awarded by the New Hampshire housing finance authority to successful applicants on a competitive basis. Successful applicants shall have demonstrated they have met the following minimum eligibility standards:

I. Status as a municipality within the state.

II. Agreement to match grant funds awarded under the pilot program.

III. Adherence to guidelines relative to assistance for indigent persons recommended by the New Hampshire Municipal Welfare Association.

7 Rulemaking. The New Hampshire housing finance authority shall adopt rules pursuant to RSA 204-C:9 relative to:

I. Which housing costs, other than rental costs, shall be covered by the municipal voucher program.

II. The qualifications of tenants and homeowners required for participation in the voucher program.

III. A formula for determining what percentage of a tenant's or homeowner's adjusted gross income shall be paid for housing costs covered by the voucher program, not to exceed 30 percent.

IV. What constitutes temporary housing.

V. What constitutes permanent housing.

VI. Procedures for establishing and administering voucher program funds by municipalities.

VII. Administration of the pilot municipal housing voucher aid program by the New Hampshire housing finance authority.

VIII. Application procedures and eligibility requirements for municipalities who wish to participate in the pilot program.

8 Appropriations.

I. In addition to any other sums appropriated, the sum of \$319,477 is appropriated for the fiscal year ending June 30, 1990, and the sum of \$819,477 is appropriated for the fiscal year ending June 30, 1991, for the purposes of continuing current and developing new programs and services under the emergency shelter program established under RSA 126-A:43-b. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

II. The sum of \$30,000 is appropriated for the fiscal year ending June 30, 1990, and the sum of \$30,000 is appropriated for the fiscal year ending June 30, 1991, to the division of mental health and developmental services, department of health and human services, for the purpose of funding the emergency shelter information and referral telephone service established in section 2 of this act. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

III. The sum of \$100,000 is appropriated for the fiscal year ending June 30, 1990, and the sum of \$100,000 is appropriated for the fiscal year ending June 30, 1991, to the New Hampshire housing finance authority for the purposes of sections 3-6 of this act. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

Amendment adopted. Referred to Finance (Rule #24)

SB 177-FN-A, establishing a grant program and a guaranteed loan fund for child care providers and making an appropriation therefor. Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: SB 177 establishes two programs. First a grant program for nonprofit day care providers. And secondly, a loan guarantee program for for-profits and businesses to initiate and expand child care. The bill was requested by the division of human services to meet the growing needs of employers and employees for child care by encouraging the development or expansion of licensed day care centers.

The first part of the program, the grant program, will assist nonprofit day care agencies to make necessary improvements or purchases of necessary equipment to expand operating day care facilities. The appropriation for the biennium is \$150,000 and the grant is limited to \$5,000 per eligible applicant.

The second part of the bill is a loan guarantee program. If you look at the fiscal note, the fiscal note is inaccurate. The loan guarantee program requires no appropriation. It will be administered by the housing finance authority. The authority will guarantee up to 50% of the principal of loans to child care providers. The principal loan amount will be limited to \$10,000 per applicant. The overall guarantee authority is limited to \$300,000. Thereby making \$600,000 available in funds to eligible applicants. I move its approval.

AMENDMENT TO SB 177-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a grant program and a guaranteed loan program
for child care providers and making an
appropriation therefor.

Amend RSA 161-F:2 as inserted by section 2 of the bill by replacing it with the following:

161-F:2 Amount of Grant; Terms. Each successful applicant may receive one grant in an amount up to and including \$5,000 during the 2-year period ending June 30, 1991, unless moneys remain in the grant fund on April 1, 1991. If moneys remain in the grant fund at such time, the director, division of human services, may allocate at his discretion and using the same minimum eligibility standards set

forth in RSA 161-F:3 any remaining money to previous grant recipients upon reapplication by such recipients for an additional grant, not to exceed \$5,000 per reapplicant. Any and all money received under the grant program is a grant to the recipient which is nonrefundable to the state. Recipients must demonstrate to the director, division of human services, the disposition of any funds provided under the grant program.

Amend the bill by replacing all after section 2 with the following:

3 New Subdivision; Guaranteed Loans for Nonprofit, For-profit and Business Child Care Centers or Programs. Amend RSA 204-C by inserting after section 69 the following new subdivision:

Child Care Provider Guaranteed Loan Program

204-C:70 Purpose. The purpose of this subdivision is to assist nonprofit, for-profit, and business child care providers to develop or expand licensed quality child care centers or programs by establishing a guaranteed loan program for such purpose.

204-C:71 Definitions. In this subdivision:

I. "Authority" means the New Hampshire housing finance authority established under this chapter.

II. "Child care agency" means any person, corporation, partnership, or other organization registered with the state as a nonprofit or for-profit child care organization, or any business organization which, as a service to its employees, regularly receives for care one or more children, unrelated to the operator of the agency, apart from the parents, in any facility as defined in this section and maintained for the care of children. The types of child care agencies are defined as follows:

(a) "Family day care home" means an occupied residence in which child care is regularly provided for less than 24 hours per day, except in emergencies, for one to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. In addition to the 6 children, one to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

(b) "Family group day care home" means an occupied residence in which child care is regularly provided for less than 24 hours per day, except in emergencies, for 7 to 12 children from one or more unrelated families. The 12 children shall include all children related to the caregiver and any foster children residing in the home, except children who are 10 years of age or older. In addition to the 12 children, one to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

(c) "Group pre-school center" means a facility regularly providing full day or half day child care for 13 or more pre-school children, whether or not the service is known as day nursery, nursery school, kindergarten, cooperative, child development center, day care center, center for the developmentally disabled, progressive school, Montessori school, or by any other name.

(d) "Day care nursery" means a facility in which child care is regularly provided for any part of a day, but less than 24 hours, except in emergencies, for 5 or more children under the age of 3. The 5 children shall include all children present during the period of child care, including those children related to the caregiver, except children related to the caregiver who are 10 years of age or older.

(e) "Pre-school program" means a facility regularly providing a structured program up to 5 hours per day for 7 or more children who are 3 years of age and older and who are not attending a full day school program. The number of children shall include all children present during the period of the program, including those children related to the caregiver.

(f) "School age program" means a facility in which child care is regularly provided up to 5 hours per school day, before or after, or before and after, regular school hours, and all day during school holidays, for 6 or more children who are enrolled in a full day school program.

204-C:72 Rulemaking. The authority shall adopt rules, pursuant to its own procedures, relative to:

I. The conduct of its business.

II. The selection and maintenance of eligible lenders.

III. The type of security it shall demand of eligible borrowers.

IV. A schedule of fees to be charged for the issuance of certificates of guarantee or other services.

V. The term of the loans guaranteed pursuant to this subdivision.

VI. Such other matters as are necessary to carry out the powers and duties of the authority under this subdivision.

204-C:73 Administration; Eligibility; Demonstration.

I. The authority shall make a good faith effort to approve applications from both nonprofit and for-profit child care organizations and business organizations which provide child care services for their employees, consistent with the minimum criteria established in this paragraph. When entering into contracts for guaranteed loans pursuant to this subdivision, the authority shall require that applicants demonstrate that they, at a minimum, meet the requirements of paragraphs II and III.

II. Each applicant shall:

(a) Hold a child care provider license pursuant to RSA 170-E.

(b) Register with the state as a private, nonprofit or for-profit child care organization or be a registered business organization which provides child care services to its employees.

(c) Address both a geographic and community need for projected service or agree to provide service to infants and toddlers.

(d) Agree to provide service to children who are eligible for Title XX assistance under Public Assistance Manual ITEM 390, sections 3980-3983.

(e) Be fiscally sound as shown in a financial statement.

(f) Comply with state and local public health, fire and life safety codes and zoning requirements.

III. Each applicant shall either:

(a) Seek a loan guarantee in order to renovate an existing facility or facilities to comply with life safety, fire, health, or other public codes, whether state or local, and shall demonstrate expected costs of such compliance; or

(b) Seek a loan guarantee in order to make capital expenditures necessary to meet licensing requirements related to planned expansion and shall demonstrate expected costs of such compliance.

IV. Loan guarantee recipients shall demonstrate to the authority the disposition of any moneys provided under the child care provider guaranteed loan program.

204-C:74 Guarantee by the Authority. Upon application from a lender in such form as the authority may require, the authority may issue, or commit itself to issue, to the lender or its assigns, a certificate of guarantee equal to 50 percent of the outstanding principal due on the loan made to eligible child care agencies or organizations as defined in 204-C:73. In no event shall any loan principal guaranteed under this section exceed the amount of \$10,000 per recipient.

204-C:75 Guarantee Certificate Conclusive. The certificate of guarantee issued by the authority, in the hands of the original lender to whom the certificate was issued, shall be conclusive evidence of its validity for the purposes of this subdivision, except for fraud.

204-C:76 Subrogation and Order of Payment. Whenever the authority pays to a lender any sum in discharge of the state's liability as guarantor under this section, the authority shall be to that extent subrogated to the lender's right, title and interest in any security pledged to the loan. Amounts received by the authority to discharge the state's guarantee shall be returned to the treasury less any costs incurred in collection.

204-C:77 Guarantee Fee. The authority shall collect from the lender a guarantee fee. Notwithstanding any provision of law to the contrary, such fee may be assessed by the lender against the borrower as a permitted loan charge. The authority shall segregate

such fees into a special account subject to withdrawal in order to discharge any of the authority's personnel and administrative expenses.

204-C:78 Guarantee; Credit of State Pledged. The full faith and credit of the state is pledged to support and redeem the certificates of guarantee issued by the authority. In furtherance of that pledge, the state treasurer shall advance to the authority from available cash in the treasury or from proceeds of bonds or notes of the state issued pursuant to this subdivision, such amounts as may be requested from time to time by the authority to enable it to perform all guarantee obligations punctually and in accordance with their terms. The authority shall request such advances from time to time as additional amounts are required for such purpose. The treasurer shall, subject to the approval of the governor and council, issue full faith and credit bonds of the state from time to time in amounts equal to advances made under this subdivision, and borrow in anticipation of the proceeds of such bonds. The obligation of the state under the provision of this section shall at no time exceed the amount of \$300,000.

4 Appropriation. The sum of \$150,000 is hereby appropriated for the biennium ending June 30, 1991, to the division of human services, department of health and human services, for the purposes of funding the grant program for nonprofit child care providers under section 2 of this act.

5 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill establishes a grant program to encourage private, non-profit agencies to expand ongoing licensed child care centers. The grant program is administered by the directors of the division of human services and the division of public health services.

The bill also establishes a guaranteed loan program for both private, nonprofit agencies and for-profit organizations and businesses which provide child care services for employees for the purpose of establishing or expanding licensed child care centers. This program is administered by the housing finance authority.

The bill also makes an appropriation for the purpose of funding the grant program.

The bill was requested by the division of human services, department of health and human services.

Amendment adopted. Referred to Finance (Rule #24)

SB 188, relative to investigating child abuse and neglect. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: SB 188 would establish a bureau that would deal with the investigation of child abuse and neglect and would affect certain records that are maintained. The department and the committee all concurred with the intent. The problem, as put to us by the professionals, is that the burnout amongst professionals in investigation and dealing with child abuse is critical. It's very great. It's critical that they be able to have some flexibility in their jobs so that they can rotate people. So, establishing a bureau itself is too intense a position for most people to hold. The other thing is that most of the record keeping either exists or can be developed from what now exists. So, we felt it was best to have this bill inexpedient to legislate.

Adopted.

SB 106-FN, relative to driver's license applications by nonresident drivers. Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: This may be one of the more important pieces of legislation that we do this year. We've had a problem for years. Needless to say, New Hampshire has attracted people to come into the state for a lot of reasons, but one of the more unattractive reasons that people have come to New Hampshire is because they've lost their license for drunken driving in other states. Every day we issue licenses to people who have lied on their application. That not only endangers the lives of your friends and constituents and your family because they're in here continuing their habit. And there is a pattern that shows that they not only come over here to get a license where they've been prohibited in their own state, just before it's taken away, but they continue their bad habits over here. But, they are also going on your insurance costs. As long as we do this, we're taking an enormous percentage of other people's problems and sharing their insurance rates with them.

This bill prohibits that in this way or at least it helps spend against. There's a probationary license issued, there's a search made and there's a 90 day removal of a license if they've lied on their application and obviously, if they've lost their license in another state they won't be granted one here. I would urge you in the strongest terms to go along with the committee's recommendation on this.

SENATOR NELSON: Senator Heath, you mentioned that the Department of Safety could in fact find out if someone from another state has a problem on their record?

SENATOR HEATH: Yes, they can search the records.

SENATOR NELSON: How do they do that?

SENATOR HEATH: They basically do it through computer read-outs that are either sent to them or they request them.

SENATOR NELSON: So, if I understand you correctly, the Department of Safety has the capacity to search out another problem from another state right now in 1989?

SENATOR HEATH: It has the capacity, but it does not do it at this point.

AMENDMENT TO SB 106-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to increasing driver's license fees and relative to
issuing temporary driver's licenses to new residents
and making an appropriation therefore.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Application by New Resident. Amend RSA 263 by inserting after section 5 the following new section:

263:5-a Application by New Resident.

I. When a person who has established residency as provided in RSA 263:35 applies for a driver's license the director shall issue a temporary driver's license to the applicant until the director:

- (a) Determines the validity of all licenses being surrendered; and
- (b) Secures a certified copy of the motor vehicle record or records on file in the jurisdiction or jurisdictions of the licenses being surrendered.

II. The director shall establish a new driver record for a person who applies for a driver's license as described in paragraph I and shall include any conviction for an offense which occurred in another jurisdiction as long as such an offense if committed in this state, would have been included in the driver record.

III. The director shall not be required to issue a temporary license to a person who is under suspension or revocation in another jurisdiction or who would present a hazard to the safety of others.

IV. The period for the temporary license may be extended or the temporary license renewed if the applicant would qualify for a driver's license suspension or revocation under the laws and rules of this

state, until an opportunity for a hearing has been provided and a decision made on whether to issue a license.

V. In the event that a national driver record repository is established the director may satisfy the requirements of subparagraph I(b) by obtaining the applicant's record from the repository.

2 Rulemaking Authority. Amend RSA 21-P:14, IV by inserting after subparagraph (l) the following new subparagraph:

(m) Temporary driver's licenses, including procedures for the issuance, revocation, form, and other related matters, as authorized by RSA 263:5-a.

3 Additional Fees. Amend RSA 263:42, I to read as follows:

I. For each driver's original license and examination, [\$20] \$25; for each commercial driver's original license and examination, [\$20] \$25; for each motorcycle driver's original license and examination, [\$20] \$25; and said license shall expire on the fourth anniversary of the license holder's date of birth following the date of issuance. For every [\$20] \$25 fee collected for each original driver's and each original commercial driver's and each original motorcycle driver's license issued, \$5 shall be credited to the driver training fund established by RSA 263:52. For all subsequent renewals of driver's, commercial driver's and motorcycle driver's licenses, [\$20] \$25.

4 Appropriation. In addition to any other sums appropriated to the division of motor vehicles, department of safety, the sum of \$162,033 is hereby appropriated for the fiscal year ending June 30, 1990, and the sum of \$156,251 is hereby appropriated for the fiscal year ending June 30, 1991, for the purposes of sections 1-2 of this act. The appropriations shall be a charge against the highway fund.

5 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill authorizes the director of the division of motor vehicles to issue temporary driver's licenses to new residents while he checks the person's motor vehicle records in the jurisdiction of the person's prior residence.

The bill increases driver's license fees by \$5.

The bill also makes appropriations for fiscal year 1990 and fiscal year 1991 from the highway fund to the division of motor vehicles for the purpose of administering the issuance of temporary driver's licenses.

Amendment adopted. Referred to Finance (Rule #24)

SB 108-FN, relative to Skyhaven airport in Rochester. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: The amendment is on page 14 of your calendar. Essentially it changes the entire bill. After the enacting clause it establishes a commission to study the transfer of Skyhaven Airport in Rochester from the Department of Transportation to another state agency. It indicates the membership on the commission: the mayor of Rochester, the mayor of Dover, Somersworth, a member of the House of Representative, the Senator from District 6, a business or industry person, the lease operator and a resident in Strafford County to serve staggered terms to look into that problem.

AMENDMENT TO SB 108-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Commission Established; Membership. There is established a commission, to be known as the Skyhaven airport advisory commission, which shall study the transfer of Skyhaven airport in Rochester, New Hampshire from the department of transportation to another state agency. The general court intends that after the report required by section 4 is filed, the commission would be responsible for the implementation of the transfer. The membership of the commission shall be as follows:

- I. The mayor of Rochester, New Hampshire, or his designee.
- II. The mayor of Dover, New Hampshire, or his designee.
- III. The mayor of Somersworth, New Hampshire, or his designee.
- IV. One member of the house of representatives who shall represent Strafford county, appointed by the speaker of the house.
- V. The senator representing district 6, appointed by the president of the senate.
- VI. One business and industry person, appointed by the governor and council.
- VII. The fixed lease operator under contract for Skyhaven airport, who shall be an ex officio member.

VIII. One resident of Strafford county, who shall be appointed by the other 6 voting members of the commission at its first meeting.

2 Staggered Terms. The term of office for the member appointed by the governor and the resident of Strafford shall be 3 years and until a successor is appointed and qualified. The term of office for any other member of the commission shall be co-terminous with the term of office in the position that qualifies that member to be a member of the commission. A vacancy shall be filled in the same manner, but only for the unexpired term.

3 Duties. The advisory commission shall study all relevant issues surrounding the transfer of Skyhaven airport from the department of transportation to another state agency. The advisory commission

shall actually implement and accomplish the goals necessary for the transfer of Skyhaven airport, after the report required under section 4 of this act is made. After the transfer, the commission shall act in an advisory capacity to the agency to which Skyhaven airport was transferred.

4 Report. The advisory commission shall submit a report together with its findings, recommendations and any legislation necessary to accomplish the transfer, to the governor and council, the president of the senate and the speaker of the house on or before December 15, 1989.

5 Compensation. The members of the commission shall serve without compensation, except that the legislative members shall receive mileage at the legislative rate.

6 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes the Skyhaven airport advisory commission. The commission is to study issues relevant to the transfer and implement the transfer of Skyhaven airport from the department of transportation to another state agency. This bill requires the commission to submit a report with its findings, recommendations and any legislation necessary to accomplish the transfer to the governor and council, president of the senate and speaker of the house no later than December 15, 1989.

Once the transfer is accomplished, the advisory commission is to act in an advisory capacity to the new state agency.
Amendment adopted.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: As a Senator that's had to bear the cross for Skyhaven for so many years, I thought it might be more appropriate to bring in an amendment that changes section 5 to read one member of the Senate appointed by the Senate President, assuming that there is another Senator that might have an interest in Skyhaven airport. This would allow the Senate President to select that person.

Floor Amendment to SB 108-FN

Amend paragraph V of section 1 of the bill by replacing it with the following:

V. One member of the senate appointed by the president of the senate.

Floor Amendment adopted. Ordered to Third Reading.

SB 141-FN, providing business profits tax credits for the sale of certain conservation and recreation land. Ought to Pass with Amendment. Senator Currier for the Committee.

SENATOR CURRIER: The amendment basically brings the language of the conservation restrictions in line with current RSAs and it redefines that this land shall be permanently used for conservation and recreational purposes and it allows a deduction for sales.

SENATOR MCLANE: Senator Currier, it says that this bill provides that any business organization. Would this include charitable organizations such as, I think the suggestion was that the Audubon Society and the Society for the Protection of New Hampshire forest and the nature conservancy, those sort of people.

SENATOR CURRIER: It does not include those organizations. In the deliberations, it deliberately does not because it applies basically to those corporations that pay the business profits tax.

SENATOR MCLANE: No, this is the one selling and it sold to the state or municipality. But not to a local conservation organization.

SENATOR CURRIER: Not to a nonprofit organization. It has to be the state or local municipality.

AMENDMENT TO SB 141-FN

Amend the bill by replacing sections 1 and 2 with the following:

1 New Paragraph; Conservation and Recreation Land Defined. Amend RSA 77-A:1 by inserting after paragraph XX the following new paragraph:

XXI. "Land used for conservation or recreation purposes" means land and recreational improvements thereon which is held for use in a business activity by a business organization, and which is sold to the state or any of its political subdivisions to be used for conservation or recreation purposes. As used in this paragraph, "conservation purposes" means the permanent protection of water resources, wildlife habitat, farmland, wetland, flood plain, forest land, or other open space or natural resources that, regardless of the acreage involved, would otherwise qualify as open space lands pursuant to RSA 79-A. As used in this paragraph, "recreation purposes" means non-commercial outdoor recreation open to the public.

2 New Paragraph; Deduction for Sale of Conservation and Recreation Land. Amend RSA 77-A:4 by inserting after paragraph XIII the following new paragraph:

XIV. In the case of a business organization which sells by mutual consent to the state or to any of its political subdivisions land or a

qualified conservation restriction as defined in RSA 477:45 to be permanently used for conservation or recreation purposes, as defined in RSA 77-A:1, XXI, the fair market value of which, as determined by the state or appropriate political subdivision, is at least 150 percent of the sale price of the land, a deduction from gross business profits of an amount equal to the gain realized on the sale.

AMENDED ANALYSIS

This bill provides that any business organization which sells by mutual consent to the state or to any of its political subdivisions land or a qualified conservation restriction as defined in RSA 477:45 to be permanently used for conservation or recreation purposes, the fair market value of which, as determined by the state or political subdivision, is at least 150 percent of the sale price of the land, a deduction shall be allowed from a gross business profits under the business profits tax of an amount equal to the gain realized on the sale.

Amendment adopted. Ordered to Third Reading.

SB 186-FN relative to a property tax lien for persons over 65. Inexpedient to Legislate. Senator Roberge for the Committee.

(tape inaudible)

Adopted.

SB 200-FN-A relative to deductions for partnerships and proprietorships under the business profit tax. Inexpedient to Legislate. Senator Dupont for the Committee.

SENATOR DUPONT: SB 200-FN redefined the business profits tax to specifically impose a tax upon unincorporated businesses. The committee felt it was an issue dealing with the constitutionality of classifying taxpayers that had been previously argued in a separate case before the New Hampshire Supreme Court. For that reason, the committee is recommending inexpedient to legislate.

SENATOR MCLANE: Senator Dupont, if the committee found that this bill, as drafted, would not need a constitutionality test, why didn't they go forward with some sort of a study that would at least give us some information about how you could either restructure the business profits tax or discover some other way of broadening the business profits tax?

SENATOR DUPONT: It's a good question. At this point in time, Senator, I think with the work load that the Senate has before it, it

was felt that the time to instigate the study is probably when we go back to biennial sessions and every year and a half we can work on the bills.

Adopted.

SB 87-FN, relative to exposure by firefighters and emergency medical technicians to infectious disease. Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: SB 87 provides for the notification of firefighters, emergency medical technicians and police officers, of possible exposure to infectious disease while transporting or helping a person to a health care facility. It does provide reassurance to individuals in those occupations who may sustain an unprotected exposure that they will be notified so that they can take the necessary follow-up steps to safeguard their health and that of their families.

The amendment includes policemen within the legislation and provides for a treating physician at a health care facility to do the notifying. It also includes a section including the personal responsibility of firemen, EMT's and police officers to report the unprotected exposure to his or her personal physician and to request treatment as soon as possible. I urge your support.

AMENDMENT TO SB 87-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to exposure by firefighters, emergency medical technicians and police officers to infectious disease.

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Notification of Firefighters, Emergency Medical Technicians and Police Officers after Exposure to Infectious Disease. Amend RSA by inserting after chapter 141-F the following new chapter:

CHAPTER 141-G

NOTIFICATION OF FIREFIGHTERS, EMERGENCY MEDICAL TECHNICIANS AND POLICE OFFICERS AFTER EXPOSURE TO INFECTIOUS DISEASE

41-G:1 Definitions. In this chapter:

I. "Director" means the director of the division of public health services.

II. "Division" means the division of public health services, department of health and human services.

III. "Unprotected exposure capable of transmitting an infectious disease" includes, but is not limited to, instances of direct mouth-to-mouth resuscitation or the commingling of the blood of the patient and the person who has transported the patient to the health care facility.

141-G:2 Notification by Firefighters, Emergency Medical Technicians and Police Officers. Any firefighter, emergency medical technician or police officer who, while acting in his professional capacity, attends, assists, or transports a person in need of medical attention to a health care facility licensed under RSA 151 and who sustains an unprotected exposure capable of transmitting an infectious disease, shall immediately, upon arrival at such facility, provide to the admitting agent or other appropriate employee of the facility a standardized trip form. The division shall prepare and distribute the standardized trip form. The form shall include the names of persons who believe they have sustained an unprotected exposure, the names of their personal physicians, the manner in which the exposure occurred, and such other relevant information the division may require.

141-G:3 Notification by Health Care Facilities; Duties of Division; Confidentiality.

I. The treating physician at the health care facility licensed under RSA 151, after receiving and reviewing the trip form and diagnosing the transported person as having an infectious disease which could have been transmitted via an unprotected exposure, shall notify orally within 48 hours of the diagnosis, and in writing within 72 hours of the diagnosis, the personal physicians listed on the trip form. The notice shall include, but not be limited to, the identity of the infectious disease and any recommendation relative to the appropriate medical precautions and treatment which should be undertaken by the person who has sustained the unprotected exposure. The person diagnosed as having the infectious disease shall be provided with the names of individuals informed of his condition. The treating physician shall keep confidential the identity of the person diagnosed as having an infectious disease.

II. The division shall determine the method by which the response to the trip report is conveyed to the personal physician and shall ensure that the patient is informed of those persons who have been notified of his disease under this section. The division shall also ensure that the notification is directed only to those personal physicians of persons who have sustained an unprotected exposure to an infectious disease.

III. The testing performed on the transported person to complete the diagnosis under paragraph I shall not be in addition to any testing which would be conducted during the care and treatment of the individual, unless additional tests are determined as necessary by the treating physician because of the nature of the unprotected exposure.

IV. Any drawing of blood and testing carried out under this chapter for the presence of the human immunodeficiency virus, any notifications of individuals about the test results, and the confidentiality of test results, shall be in accordance with the provisions of RSA 141-F.

141-G:4 Rulemaking. The director shall adopt rules under RSA 541-A relative to:

I. Form and further content of the standardized trip form required under RSA 141-G:2.

II. A definition of infectious disease which is dangerous to the public health.

III. Further definition of an unprotected exposure capable of transmitting an infectious disease.

IV. Content of the written notice required under RSA 141-G:3.

V. Confidentiality procedures to protect a patient's identity under RSA 141-G:3.

VI. The method of response to the persons listed on the trip report and measures to ensure that only those persons are notified under RSA 141-G:3.

VII. Manner of communicating to the patient the persons contacted under RSA 141-G:3.

141-G:5 Immunity From Civil Liability. No facility licensed under RSA 151 or agent, employee, administrator, doctor, official, or other representative of such facility shall be held jointly or severally liable by a firefighter, emergency medical technician, or police officer, either as a facility or personally, for reporting as required under this chapter if such report was made in good faith and was in accordance with the confidentiality procedures under this chapter and RSA 141-F. All such parties who have acted in good faith shall have total immunity from civil or criminal liability for any act performed in the fulfillment of the duties imposed by this chapter.

141-G:6 Personal Responsibility. Nothing in this chapter shall be construed as negating the personal responsibility of any firefighter, emergency medical technician, or police officer to report the unprotected exposure to that person's personal physician, and to request such treatment and advice as the exposure warrants, as soon as possible after the exposure occurs.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires firefighters, emergency medical technicians and police officers to notify a health care facility to which they have transported a person suspected of having an infectious disease, if they have sustained an unprotected exposure to such infectious disease. The health care facility, after having made a positive diagnosis of the transported person, shall also notify persons who have sustained an unprotected exposure. The bill requires that the identity of the patient remain confidential.

The bill grants rulemaking authority to the director, division of public health services, department of health and human services to carry out the purposes of this act.

Amendment adopted.

Senator Currier offered a floor amendment.

SENATOR CURRIER: Basically, this changes the words; emergency medical technician to emergency care provider. Under the statute RSA 151-B, the minimum level of licensure is not an emergency medical technician. So this bill, would not in fact, cover those people who are licensed by the American Red Cross. We feel they should be because they are licensed by the director of public health.

The floor amendment before you takes into consideration the amendment which was just passed and basically changes the words from emergency medical technician to emergency medical care providers.

Floor Amendment to SB 87-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to exposure by firefighters, emergency medical care providers and police officers to infectious disease.

Amend the bill by replacing section 1 with the following:

1 New Chapter; Notification of Firefighters, Emergency Medical Care Providers and Police Officers after Exposure to Infectious Disease. Amend RSA by inserting after chapter 141-F the following new chapter:

CHAPTER 141-G

NOTIFICATION OF FIREFIGHTERS, EMERGENCY CARE
PROVIDERS AND POLICE OFFICERS AFTER
EXPOSURE TO INFECTIOUS DISEASE

141-G:1 Definitions. In this chapter:

I. "Director" means the director of the division of public health services.

II. "Division" means the division of public health services, department of health and human services.

III. "Emergency medical care providers" means those persons licensed under RSA 151-B.

IV. "Unprotected exposure capable of transmitting an infectious disease" includes, but is not limited to, instances of direct mouth-to-mouth resuscitation or the commingling of the blood of the patient and the person who has transported the patient to the health care facility.

141-G:2 Notification by Firefighters, Emergency Medical Care Providers and Police Officers. Any firefighter, emergency medical care provider or police officer who, while acting in his professional capacity, attends, assists, or transports a person in need of medical attention to a health care facility licensed under RSA 151 and who sustains an unprotected exposure capable of transmitting an infectious disease, shall immediately, upon arrival at such facility, provide to the admitting agent or other appropriate employee of the facility a standardized trip form. The division shall prepare and distribute the standardized trip form. The form shall include the names of persons who believe they have sustained an unprotected exposure, the names of their personal physicians, the manner in which the exposure occurred, and such other relevant information the division may require.

141-G:3 Notification by Health Care Facilities; Duties of Division; Confidentiality.

I. The treating physician at the health care facility licensed under RSA 151, after receiving and reviewing the trip form and diagnosing the transported person as having an infectious disease which could have been transmitted via an unprotected exposure, shall notify orally within 48 hours of the diagnosis, and in writing within 72 hours of the diagnosis, the personal physicians listed on the trip form. The notice shall include, but not be limited to, the identity of the infectious disease and any recommendation relative to the appropriate medical precautions and treatment which should be undertaken by the person who has sustained the unprotected exposure. The person diagnosed as having the infectious disease shall be provided with the names of individuals informed of his condition. The

treating physician shall keep confidential the identity of the person diagnosed as having an infectious disease.

II. The division shall determine the method by which the response to the trip report is conveyed to the personal physician and shall ensure that the patient is informed of those persons who have been notified of his disease under this section. The division shall also ensure that the notification is directed only to those personal physicians of persons who have sustained an unprotected exposure to an infectious disease.

III. The testing performed on the transported person to complete the diagnosis under paragraph I shall not be in addition to any testing which would be conducted during the care and treatment of the individual, unless additional tests are determined as necessary by the treating physician because of the nature of the unprotected exposure.

IV. Any drawing of blood and testing carried out under this chapter for the presence of the human immunodeficiency virus, any notifications of individuals about the test results, and the confidentiality of test results, shall be in accordance with the provisions of RSA 141-F.

141-G:4 Rulemaking. The director shall adopt rules under RSA 541-A relative to:

I. Form and further content of the standardized trip form required under RSA 141-G:2.

II. A definition of infectious disease which is dangerous to the public health.

III. Further definition of an unprotected exposure capable of transmitting an infectious disease.

IV. Content of the written notice required under RSA 141-G:3.

V. Confidentiality procedures to protect a patient's identity under RSA 141-G:3.

VI. The method of response to the persons listed on the trip report and measures to ensure that only those persons are notified under RSA 141-G:3.

VII. Manner of communicating to the patient the persons contacted under RSA 141-G:3.

141-G:5 Immunity From Civil Liability. No facility licensed under RSA 151 or agent, employee, administrator, doctor, official, or other representative of such facility shall be held jointly or severally liable by a firefighter, emergency medical care provider, or police officer, either as a facility or personally, for reporting as required under this chapter if such report was made in good faith and was in accordance with the confidentiality procedures under this chapter and RSA 141-F. All such parties who have acted in good faith shall have total

immunity from civil or criminal liability for any act performed in the fulfillment of the duties imposed by this chapter.

141-G:6 Personal Responsibility. Nothing in this chapter shall be construed as negating the personal responsibility of any firefighter; emergency medical care provider; or police officer to report the unprotected exposure to that person's personal physician, and to request such treatment and advice as the exposure warrants, as soon as possible after the exposure occurs.

AMENDED ANALYSIS

This bill requires firefighters, emergency medical care providers and police officers to notify a health care facility to which they have transported a person suspected of having an infectious disease, if they have sustained an unprotected exposure to such infectious disease. The health care facility, after having made a positive diagnosis of the transported person, shall also notify persons who have sustained an unprotected exposure. The bill requires that the identity of the patient remain confidential.

The bill grants rulemaking authority to the director; division of public health services, department of health and human services to carry out the purposes of this act.

Floor Amendment adopted. Ordered to Third Reading.

RECONSIDERATION

Senator Stephen moved reconsideration on SB 28, relative to property purchases by executive departments.

Adopted. (2/3rds necessary vote)

SENATOR STEPHEN: I want to thank you all for reconsidering this motion. This bill that I had, SB 28, is designed for one purpose and one purpose alone and that is to insure fiscal accountability by the bureaucrats. I'm shocked at my colleagues that they don't feel the same way towards accountability as I do. Thank you.

Senator Dupont moved to lay SB 28 on the table.

Adopted.

Senator Bond moved reconsideration on SB 86, prohibiting ski craft on Wilson Lake.

Adopted.

Senator Bond moved to lay SB 86 on the table.

Adopted.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of the bills ordered to third reading be read a third time by this resolution and that all titles be the same as adopted, and that they be passed at the present time; and that when we adjourn, we adjourn until Thursday, February 14, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Third Reading and Final Passage

SB 96-A, relative to the Portsmouth district court and making an appropriation therefor.

SB 22, relative to certain forestry activities in wetlands.

SB 40, requiring the department of safety to post headway speed limits on the Connecticut River.

SB 48-FN, authorizing the sale of a certain parcel of state land to a water district.

SB 50, relative to measuring liquid hazardous waste.

SB 24, relative to liquor store displays and promotions.

SB 127, relative to licensing physical therapists.

SB 145-FN, to authorize municipalities to establish special revenue funds.

SB 79-FN, relative to state employee bargaining rights.

SB 90-FN, providing a 4% cost of living adjustment for group II members.

SB 23, relative to the executive director of the liquor commission.

SB 81-FN, relative to the management of court facilities.

SB 197-FN, granting the bureau of fire safety the authority to regulate liquid propane gas pipeline safety.

SB 71, authorizing the removal of a boat and mooring under certain circumstances.

SB 93-FN, relative to the number of primary ballots to be used for computerized voting machines.

SB 99-FN, supplementing the funding for programs which assist victims of domestic violence.

SB 120-FN, relative to acute care.

SB 108-FN, relative to Skyhaven airport in Rochester.

SB 141-FN, providing business profits tax credits for the sale of certain conservation and recreation land.

SB 87-FN, relative to exposure by firefighters, emergency medical care providers and police officers to infectious disease.

Senator Disnard moved to adjourn.
Adopted.
Adjournment

Tuesday, February 14, 1989

The Senate met at 1:00 p.m.
A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, let our thoughts reflect upon St. Valentine whom we remember today in the Spirit of Love!! May this spirit be reflected in ourselves as we deal in our work here as well as with our Family and Friends! Happy Valentines Day!!

Amen

Senator Blaisdell led the Pledge of Allegiance.

HOUSE MESSAGE

The House of Representatives is ready to meet the Honorable Senate in Joint Convention at 1:15 p.m., for the purpose of attending to a Budget Message of the Governor.

Senator Dupont moved that the Senate accede to the request of the House.

Adopted.

Senator Delahunty served notice of reconsideration on SB 79, relative to state employee bargaining rights.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

SB 19, establishing a joint legislative oversight committee on highway and bridge construction and reconstruction plans. Ought to Pass with Amendment. Senator Torr for the Committee.

SENATOR TORR: SB 19 establishes a joint legislative committee to continue to review and update, on an annual basis, the ten year state highway and bridge reconstruction and construction plan.

The amendment is technical in nature only.

AMENDMENT TO SB 19

Amend RSA 17-O:4 as inserted by section 1 of the bill by replacing it with the following:

17-O:4 Determination of Priorities. The committee established under RSA 17-0:1 shall review and approve or disapprove changes relative to the priority of projects contained in the 10-year plan, after the receipt and consideration of the department of transportation's recommendations relative to such priorities.

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect 60 days after its passage.

Amendment adopted. Ordered to Third Reading.

SB 33-A, relative to construction on the Spaulding turnpike and making an appropriation therefor. Ought to Pass with Amendment. Senator Torr for the Committee.

SENATOR TORR: SB 33-A provides for an appropriation for the construction of exit 10 on the Spaulding Turnpike. The amendment does away with the word construction but leaves in force the design, right of way acquisition and environmental impact study.

AMENDMENT TO SB 33-A

Amend RSA 237:2, II-a as inserted by section 1 of the bill by replacing it with the following:

II-a. Make improvements to the Spaulding turnpike including the design, right of way acquisition, and an environmental impact study of exit 10 on the Spaulding turnpike.

Amendment adopted. Ordered to Third Reading.

SB 104, relative to land acquisition for the construction of a ramp on Route 3 at the Massachusetts border. Ought to Pass with Amendment. Senator Nelson for the Committee.

SENATOR NELSON: This bill authorizes the Governor and Council to accept land donated by the Sanders Division of the Lockheed Corporation for the purpose of constructing an off bound ramp on Route 3 from the Daniel Webster Highway. It also authorizes the commissioner of the Department of Transportation to negotiate with the appropriate authorities and the Commonwealth of Massachusetts for sufficient Commonwealth land to construct this ramp in the desired location.

AMENDMENT TO SB 104

Amend section 1 of the bill by replacing it with the following:

1 Authority to Accept Land for Highway Ramp.

I. The governor, with the advice and consent of the council, may accept land donated to the state by the commonwealth of Massachusetts and by the Sanders subsidiary of Lockheed Corporation for the construction of a northbound ramp from the Daniel Webster Highway onto Route 3 at exit 36. The land is located both in the Commonwealth in town of Tyngsboro, and in this state in the city of Nashua, and is adjacent to the F. E. Everett turnpike.

II. The commissioner of the department of transportation, with the approval of governor and council, is authorized to negotiate with the appropriate authorities in the Commonwealth of Massachusetts for transportation agreement or other appropriate agreement for acquisition of land or rights to use land in the Commonwealth that would be necessary for the construction of the ramp. This authorization includes authority to expend funds of this state as necessary to construct the ramp on lands within the Commonwealth as well as within this state.

Amendment adopted. Ordered to Third Reading.

SB 80, authorizing municipalities to exercise certain enforcement powers. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: The intent of SB 80 was excellent but testimony indicated that it would cause considerable confusion due to the lack of actual knowledge of the regulations at the municipal level. So, the committee found inexpedient to legislate.

Adopted.

SB 121, establishing the Pittsfield regional solid waste cooperative. Ought to Pass with Amendment. Senator Freese for the Committee.

SENATOR FREESE: This cooperative has been in existence since the 1970's, voluntarily formed at that time by Pittsfield, Barnstead, Epsom and Chichester; and this legislation legalizes that cooperative.

The amendment can be found on page 7 of your calendar #11. It says nothing in this act shall be construed to relieve the obligation of the Pittsfield Regional solid waste cooperative to submit to the division of the waste management an appropriate district solid waste management plan or other before October 1, 1989. That simply says that

it will have oversight management by the solid waste division of the State of New Hampshire. We hope you will abide by the committee report.

AMENDMENT TO SB 121

Amend the bill by inserting after section 6 the following and re-numbering the original sections 7 and 8 to read 8 and 9 respectively:

7 District Plan. Nothing in this act shall be construed to relieve the obligation of the Pittsfield regional solid waste cooperative to prepare and submit to the division of waste management an approvable district solid waste management plan on or before October 1, 1989, as required by RSA 149-M:18.

Amendment adopted. Ordered to Third Reading.

SB 159-FN, allowing for state monitoring of private solid waste facility operations. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: SB 159 again, was a well intended bill, but impractical to implement in that it would be impossible to provide the kind of staffing that would be necessary to provide full time, around the clock, coverage of all solid waste disposal sites.

Adopted.

SB 165-FN, relative to the operation of stump dumps. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: We decided to dump the stump dumps because it turns out that there was a means of resolving it by administration. The people who are concerned have met with the solid waste people and a resolution is being worked out so the legislation is unnecessary.

Adopted.

SB 138-FN, providing supplemental education assistance to school districts with assisted housing units. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The committee on Education addressed this bill and we held it in our possession and we had many meetings and a great deal of discussion on it. The amendment, you will find in your calendar on page 7. From memory I would tell you that it was the determination of the committee on Education that we should pass this bill with the amendment.

The amendment, in effect, establishes a committee to take into consideration and study the impact of communities that enter into housing projects and what additional state support the education facilities in those communities could receive outside of, or in addition to, the existing programs of support for local education. That is the basis of the amendment and that is the judgment of the committee. The committee feels quite strongly that communities that address the housing shortage and the impact on their local schools should be in a position to receive additional support to local education outside of the existing programs.

Amendment to SB 138-FN

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a committee to study supplemental education
assistance to school districts with
assisted housing units.

Amend the bill by replacing all after the enacting clause with the following:

1 Study Committee Established. The general court finds that it is the policy of this state to share in the costs of public elementary and high school education for the local school districts in New Hampshire. School districts in the state may also benefit from additional state education grants based on the number of assisted housing units within a school district. Assisted housing units are defined as rental housing units, other than those restricted to elderly persons, which are reserved for persons and families earning no more than 80 percent of the median income of the geographic area in which they are located, and which are owned, administered or overseen by the federal Department of Housing and Urban Development, the federal Farmers Home Administration, the New Hampshire housing finance authority established under RSA 204-C, or a local housing authority. There is hereby established a committee to study state financial assistance to school districts with assisted housing units.

2 Membership. The study committee shall be composed of the following members:

- I. Two members appointed by the president of the senate.
- II. Two members appointed by the speaker of the house.
- III. Three members appointed by the governor.

3 Appointments. The appointment of the members listed in section 2 of this act shall be made within 60 days of the effective date of this act.

4 Chairman; Meetings. The committee shall elect a chairman from among its members. The committee shall meet at such times as the chairman shall designate.

5 Duties. The committee shall study how state financial assistance may be provided to school districts which have assisted housing units.

6 Report. The committee shall report its findings, together with any proposed legislation, to the governor, the speaker of the house of representatives, and the president of the senate, no later than December 1, 1989.

7 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a committee to study how state financial assistance may be provided to school districts which have assisted housing units. The committee must report its findings, together with any proposed legislation, no later than December 1, 1989. Assisted housing units are defined as rental housing units, other than those restricted to elderly persons, which are reserved for persons and families earning no more than 80 percent of the median income of the geographic area in which they are located, and which are owned, administered or overseen by the federal Department of Housing and Urban Development, the federal Farmers Home Administration, the New Hampshire housing finance authority established under RSA 204-C, or a local housing authority.

Amendment adopted. Ordered to Third Reading.

SB 203-FN, relative to employing minors enrolled in school. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The committee on Education, again, took testimony on this bill and supported it enthusiastically. The amendment that was passed by the committee, was addressed by Senator Disnard and I would defer to him as to the particulars.

SENATOR DISNARD: The amendment just changes the date, effective July 1991 due to the lack of monies available in the literacy dropout. This was also at the request of the Department of Education.

AMENDMENT TO SB 203-FN

Amend RSA 276-A:4, VII as inserted by section 2 of the bill by replacing it with the following:

VII. No youth 16 or 17 years of age who is duly enrolled in school shall work for more than 6 consecutive days or 48 hours in any one week during school vacations, including summer vacation. For purposes of this paragraph, "summer vacation" means July 1 through September 1.

Amendment adopted. Ordered to Third Reading.

SB 37-FN-A, making a supplemental appropriation for area vocational school tuition and transportation. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The supplemental appropriation act, which this body passed and is in the possession of the House, addressed the fiscal year 1989 deficiencies in the appropriation for the tuition and transportation in the area vocational high schools. However, that piece of legislation did not recognize known shortfalls in fiscal year 1988. Your committee on Finance had been carrying those values, but through a break down in communication, and I personally would take responsibility for that, the LBA in preparing the amendment did not pick these up.

What the amendment addresses is school building aid, catastrophic educational aid, and foster care and transportation in 1988. You should pass this to clearly send a signal that the Senate recognizes these 1988 deficits as well as the 1989 deficits, which we addressed in our supplemental act.

AMENDMENT TO SB 37-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

making supplemental appropriations for area vocational
school tuition and transportation, school building
aid, catastrophic costs, audit fund,
and foster care.

Amend the bill by replacing all after the enacting clause with the following:

1 Supplemental Appropriation; Area Vocational School Tuition and Transportation. In addition to any other sums appropriated to PAU 06, 03, 03, 02, 01, class 90, area vocational school tuition and transportation, the sum of \$220,208 is hereby appropriated for the fiscal year ending June 30, 1989, to make up a shortage for the fiscal year

ending June 30, 1988. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Supplemental Appropriation; School Building Aid. In addition to any other sums appropriated to PAU 06, 03, 02, 04, 02, class 90, school building aid, the sum of \$97,810 is hereby appropriated for the fiscal year ending June 30, 1989, to make up a shortage for the fiscal year ending June 30, 1988. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Supplemental Appropriation; Catastrophic Costs. In addition to any other sums appropriated to PAU 06, 03, 03, 03, 01, special education-state, class 92, catastrophic cost, the sum of \$160,671 is hereby appropriated for the fiscal year ending June 30, 1989, to make up a shortage for the fiscal year ending June 30, 1988. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

4 Supplemental Appropriation; Audit Fund and Foster Care. In addition to any other sums appropriated to PAU 05, 02, 03, 02, 04, class 41, audit fund, and class 90, foster care, the sums of \$600,000 from federal funds, \$450,000 from general funds, and \$150,000 from other funds are hereby appropriated for the fiscal year ending June 30, 1989, for the purpose of funding audit fund and foster care under Title IV-E grants in the following manner: \$1,709 to audit fund and \$1,198,291 to foster care. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

5 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes supplemental appropriations to make up shortages for area vocational school tuition and transportation, school building aid, and catastrophic costs, and to fund audit fund and foster care under Title IV-E grants.

Amendment adopted. Ordered to Third Reading.

SB 59-A, appropriating funds to the land conservation investment program. Inexpedient to Legislate. Senator Torr for the Committee.

SENATOR TORR: SB 59-A was recommended as inexpedient to legislate because we had a request from the Governor to address it in the capital budget. It was the concurrence of the committee to address it in the capital budget.

SENATOR BLAISDELL: Senator Torr, in the discussion in Finance, it was said that the Governor would address this in the capital budget and he just addressed that in his message before us. I've had a request from some people to maybe lay this bill on the table and I talked to you and you said we could amend the bill by putting an amendment on the capital budget just in case we ran into trouble. Am I right?

SENATOR TORR: That is correct. If in fact the House does not address the capital budget and in fact takes it out, the Senate Capital Budget committee will address it.

Adopted.

SB 61-FN-A, relative to preserving the old state house and making an appropriation therefor. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: The amendment is on page 3 of your calendar. Basically, for historical purposes, which is appropriate for this bill, we've been trying to deal with the issue with the Old State House for the last couple of sessions. We're now faced with the dilemma of having the building there and needing to move it from Strawberry Banke's property that it's on. What we've decided, in Finance, was to provide financial assistance to provide some technical assistance for the dismantling of the building and hopefully within the existing state resources we can move it and store it in an appropriate fashion.

AMENDMENT TO SB 61-FN-A

Amend the bill by replacing sections 2 and 3 with the following:

2 Dismantling and Preserving the Old State House. The director, division of historical resources, department of libraries, arts and historical resources, shall begin preparation for and oversee a careful mechanical dismantling by hand of the old state house. This project shall include, but not be limited to, full plans indicating each piece, photographs, and the labeling of each piece. The pieces shall be transported by state employees and shall be stored in a suitable state facility. The director may, within the limits of the available appropriation, hire other personnel or staff as he deems necessary to carry out the purpose of this act.

3 Appropriation. A sum not to exceed \$10,000 for the biennium ending June 30, 1991, is hereby appropriated to the division of historical resources, department of libraries, arts and historical resources, for the purpose of this act. This appropriation shall be

nonlapsing. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. Amendment adopted. Ordered to Third Reading.

SB 77-FN, relative to holiday pay for part-time state employees. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: We amended this piece of legislation in Finance to apply specifically to those areas where part time help is used on holidays. As presented to us, there is difficulty in getting part time employees to work on holidays because there is no financial benefit to take that holiday away from their families. So, basically, these are in areas where there are difficulties in current staffing.

SENATOR MCLANE: Senator Dupont, I just wanted to be sure that this applied to the New Hampshire Hospital because this was the place where the problem came about.

SENATOR DUPONT: Senator, it does specifically apply to the state's mental health system, secure psychiatric unit, veterans' home or direct patient care specifically.

SENATOR MCLANE: Thank you. I think that's very good.

AMENDMENT TO SB 77-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to holiday pay for certain part-time employees.

Amend the bill by replacing section 1 with the following:

1 Holiday Pay for State Employees. Amend RSA 98-A by inserting after section 6-a the following new section:

98-A:6-b Holiday Pay. Notwithstanding any agreement, law, or rule to the contrary, individuals involved in direct care of patients in the state mental health system, the division for children and youth services, the secure psychiatric unit or the veteran's home on a part-time basis who work on a holiday shall be entitled to holiday pay for the hours worked.

AMENDED ANALYSIS

This bill requires certain part-time state employees who work on holidays to be paid holiday pay for the actual hours worked. Amendment adopted. Ordered to Third Reading.

SB 83-FN-A, making an appropriation to support the conservation corps. Inexpedient to Legislate. Senator Hough for the Committee.

SENATOR HOUGH: The committee researched this piece of legislation as it was drafted and you will recall that my name and Senator Disnard's name was on the enabling legislation in the last session. The committee feels that this bill is simply a supplemental appropriation to a perceived inadequate biennial budget, which is yet to be enacted or disposed of and the committee is committed to working within the biennial budget as it comes to the Senate and is ultimately passed, to see that this worthwhile and successful program is continued.

Adopted.

SB 105-FN-A, making an appropriation for improving electrical service at Weeks state park in Lancaster. Ought to Pass. Senator St. Jean for the Committee.

SENATOR ST. JEAN: SB 105-FN-A was heard down in Senate Finance. It needs the repairs of \$80,000 and is well worth what the expected costs would be. A number of repairs have to be made that involve underground wiring and that's why the price tag was \$80,000.

Adopted. Ordered to Third Reading.

SB 109-FN-A, establishing a pilot reading recovery program and making an appropriation therefor. Ought to Pass. Senator Hough for the Committee.

SENATOR HOUGH: The committee received this bill from the committee on Education where it was enthusiastically endorsed and supported by both the department, the local schools, the university system. It is a pilot reading recovery program that has been initiated in the State of Ohio and it has had a proven success rate of better than 80%. The committee on Finance clearly supports this bill and its appropriation and it is consistent with the way the state provides leadership and support in the area of education in New Hampshire and it effects both the children throughout the state and to the cost effectiveness of public education overwhelmingly and they encourage your support of this legislation.

SENATOR JOHNSON: Senator Hough, what will this bill do that wasn't intended to be done in the passage of SB 334, the literacy and dropout bill?

SENATOR HOUGH: This bill is consistent with the intent, but this is a very specific program that will pay and provide educational teaching skills to staff members at the local level and allow the youngsters that are tested, if you will, in the first grade in that area of reading deficiency to work directly hands on with them. It is more refined, it's more specific in its intent and it is more successful in its proven ability to achieve. It is consistent of the overall objectives of the literacy program, on the one hand but whether or not you subscribe to that program specifically; this is a proven educational tool that will help the local schools with the problem that they're all confronted with, and that's the intent of this bill.

SENATOR JOHNSON: Senator Hough, will all school districts in New Hampshire benefit from this legislation?

SENATOR HOUGH: All school districts in New Hampshire will have access to this technique and they will come forward with requests to the department to learn these skills as the program is developed.

SENATOR JOHNSON: But, will the State Department Education be making available these consultation services to the public school districts upon request?

SENATOR HOUGH: Absolutely.

Adopted. Ordered to Third Reading.

SB 134-FN-A, relative to the purchase and maintenance of airports and making an appropriation therefor. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: SB 134-FN-A is a bill that I sponsored at the request of the Department of Aeronautics. We brought it down to Finance to take a look at the issue of appropriating state monies for this purpose. Senate Finance basically agreed with the concept and not to be confused in the bill there is a two million dollar appropriation which would be bonded if and when the Department of Aeronautics sees an opportunity or a requirement to proceed forward with the ability of acquiring an airport that is in jeopardy. There is no appropriation until such time as the monies would be needed to purchase.

SENATOR NELSON: Senator Dupont, I was just curious what the problem was that they wanted this bill introduced because it says if the commission is unable to acquire the land he can condemn it. Is

this just some sort of blanket permission that he has if someone doesn't want to give him the land?

SENATOR DUPONT: It is, Senator, and I assume that's what you're looking at here. My original concern that developed into this bill was the fact that our airport network in the state is a very fragile one and that when you lose an airport the ability to resite a new facility is very, very difficult. So, what we basically said, the statement that this bill makes is that an airport that is privately owned at present time, that could possibly be sold for other uses, is a critical part of our airport network and we need to take steps to preserve our rights to continue to use that as part of the network. So, if there is not an opportunity to provide a way for the state to purchase a facility then there would be an ability to condemn as we condemn for construction of highways or bridges or any other type.

SENATOR NELSON: What was the public's recourse and was there a public hearing on this?

SENATOR DUPONT: Yes, there was a public hearing and if you look at the number of airports in the state, Senator, there is not a great number of people that would be concerned that own airports with this piece of legislation. The number of privately owned airports is very small.

SENATOR NELSON: Is this some new precedence we're starting? We're now giving a brand new authority to this group so that if they can't get the airport the commissioner can arbitrarily condemn it?

SENATOR DUPONT: Senator, no condemnation process is arbitrary. There is a process that you go through when you're constructing the road where the state negotiates with the owner of the property. That is a process where the state takes for the public good.

SENATOR NELSON: This is a brand new authority that we're giving to the commissioner?

SENATOR DUPONT: Specifically for a single purpose and that is to preserve the airport network of the state.

SENATOR HEATH: Senator Dupont, is the funding in this a back up of a local purchase or is it a state purchase of the airport?

SENATOR DUPONT: I would assume that if a municipality wanted to apply to buy a private airport on it's borders, the state would not step in. The state is specifically looking at cases where there

wouldn't be any other recourse but to take the airport if it is to remain an airport. That's specifically what we're looking at and I hope the bill's not necessary at any point in time because I don't think I like to see the state acquiring additional airports.

SENATOR HEATH: Would this have saved Conway had this bill been legislated?

SENATOR DUPONT: It's quite possible Senator, and I think that is an example and I think there might be a couple of other examples that we'll be looking at within the next five or ten years where it might be important for the state to step in. As far as I'm concerned, there probably will not be any new airports sited in the State of New Hampshire in the near future. I think the public is not receptive to those types of facilities, so that's the necessity to preserving what we have out there.

SENATOR HEATH: Is two million dollars going to do much. I'm guessing, but I'd think Conway would have exceeded that in one airport.

SENATOR DUPONT: There's no question Senator. These properties are extremely expensive. They're geographically in areas close to the centers of some towns and they are large pieces of property. The intent is to put in place a structure that will allow us to move.

AMENDMENT TO SB 134-A

Amend the bill by replacing sections 1 and 2 with the following:

1 New Subdivision; Condemnation; Lease Agreements; Maintenance of Airports. Amend RSA 422 by inserting after section 45 the following new subdivision:

Condemnation or Lease of Airport Properties

422:46 Condemnation. If the commissioner is unable to acquire the airport properties or any part of them by purchase or otherwise, he may proceed to condemn all or any portion of such property. In all such condemnation proceedings, the legislature determines that acquisitions under this section are for a public purpose and are reasonably necessary to the New Hampshire airport system. The procedure for any necessary condemnation proceedings shall be as set forth in RSA 498-A.

422:47 Lease Agreements. The commissioner is authorized to enter into lease agreements with owners of private airports which are abandoned or closed to public use to preserve the airport for aviation purposes. Any such agreement shall provide:

I. That the airport shall remain intact and under single ownership for 5 years and be used only as an airport.

II. That during the period of the agreement, the airport shall not be subject to local or state taxation.

III. That the owner of the airport shall be relieved of civil liability for any personal injuries or property damage occurring in the airport during the period of the agreement.

IV. That the commissioner may provide additional terms as he deems necessary or desirable.

422:48 Modernization and Maintenance of Airport Properties. The commissioner is hereby authorized to contract for improvement and maintenance of any airport property acquired or leased under RSA 422:46 and 47. He may expend any sums appropriated to the special fund under RSA 422:49 for such purpose as he deems necessary for the public interest.

422:49 Special Fund Established. The state treasurer shall establish a nonlapsing special fund to be known as the special airport fund. He shall deposit in the fund proceeds from the sale or lease of any airport properties and income derived by the commissioner as a result of action taken pursuant to the provisions of this subdivision, and any special gifts, grants other than grants or portions of grants which are appropriated for a specific purpose, or donations for the purposes of this subdivision.

422:50 Appropriation and Use of Special Airport Fund. All moneys, including moneys received from rentals and permit fees, shall be deposited in the special fund established by RSA 422:49 and are hereby appropriated to be expended by the commissioner for the purchase or paying for the operation and the maintenance of airport properties to be acquired or which have been acquired pursuant to the provisions of this subdivision, subject to the following conditions:

I. An appropriation by the general court; or

II. If an uncommitted balance exists, with prior approval of the fiscal committee and governor and council.

2 Appropriation. The sum of \$2,000,000 is hereby appropriated to the commissioner of the department of transportation for deposit into the special airport fund under RSA 422:50 for the acquisition, leasing and modernization of airport properties as authorized by RSA 422:46, including, but not limited to, abandoned or soon to be abandoned airports. This appropriation shall be nonlapsing.

AMENDED ANALYSIS

This bill authorizes the commissioner of transportation to use condemnation to acquire airport properties for public use. Under this

bill the commissioner may also enter into lease agreements with owners of private airports to preserve abandoned or closed airports.

The bill makes a capital appropriation to the department of transportation for deposit in the special airport fund established in this bill to be used for the purposes of this bill.

This bill was requested by the aeronautics commission.

Amendment adopted. Ordered to Third Reading.

Recess

Out of Recess

Senator Dupont in the Chair.

SB 135-FN, prohibiting students from voluntarily leaving secondary school at age 16 or 17 without demonstrating literacy. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The amendment on SB 135 as adopted by the committee on Finance should have been addressed by the committee on Education and I'll defer to Senator Disnard. There is no money in this bill and the subject matter, as you know, has been addressed by the Governor in his budget message. The funding mechanism for the program that was passed in the last session, will continue based on the extent of the budget appropriation. The amendment is policy.

SENATOR DISNARD: The explanation that I gave on SB 203, when I was caught unaware, applies to this bill. The change in the effective date is July 1, 1991 and I apologize to the Senators and, this is because of the lack of funding in the literacy bill.

AMENDMENT TO SB 135-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to student literacy.

Amend the bill by inserting after section 2 the following and re-numbering the original section 3 to read as 4:

3 New Paragraph; Effective Date Change. Amend 1988, 274:10 by inserting after paragraph I the following new paragraph:

I-a. RSA 189:54 as inserted by section 3 of this act shall take effect July 1, 1991.

AMENDED ANALYSIS

This bill prohibits students from leaving school voluntarily at age 16 or 17 without demonstrating a level of literacy as determined by the local school board and state board of education guidelines.

The bill also changes the effective date of RSA 189:54, relative to literacy instruction, from July 1, 1989, to July 1, 1991.

The bill was requested by the department of education.
Amendment adopted. Ordered to Third Reading.

SB 142-A, making an appropriation to the vocational-technical college in Claremont. Inexpedient to Legislate. Senator Torr for the Committee.

SENATOR TORR: The committee felt that the vocational-technical college would be best approached by the capital budget committee, therefore the recommendation of inexpedient to legislate.

Adopted.

SB 154-FN-A, relative to timely distribution of sweepstakes revenues through the foundation aid formula. Ought to Pass. Senator Hough for the Committee.

SENATOR HOUGH: This piece of legislation was introduced by me as a result of an audit by the LBA of the sweepstakes department wherein an objection in the audit indicated that monies that rightfully belonged back in the local communities in support of local education through the foundation aid formula were not coming forward. As a result of that objection in the audit, I requested the professional staff in the Legislative Budget Assistant's office to draft legislation, which is prospective, which will see that any change in receipt of sweepstakes revenue over the appropriation level, will get back to the local communities in support of their schools via the formula in a timely fashion. That's what this bill does. It cleans up a mechanism so that these funds will not accumulate as has been the case in the last year or two.

Adopted. Ordered to Third Reading.

SB 162-FN-A, to return revenue to cities and towns and making an appropriation therefor. Inexpedient to Legislate. Senator Hough for the Committee.

SENATOR HOUGH: The committee, after a great deal of deliberation, came to the conclusion ultimately to report this bill as inexpedient to legislate. I personally have had concerns since prior to the public hearing. This is the piece of legislation that attempts to return percentages of revenues in excess of the appropriation level or in excess of the estimates back to the cities and towns. My personal concerns, and these concerns have also been raised by our profes-

sional staff, the LBA, is that perceptively they could cause the state to find itself in a deficit position by guaranteeing excesses in revenues as opposed to the expenditures. I think that the point was demonstrated by the Governor's message that we, and it has been the policy of this body, in the last biennium specifically, have set as public policy a willingness and a charge to return revenues in support of our local communities in the area of school building aid and in the education components as well as settlements. So, we have pretty much done voluntarily what this would try to establish statutorily. So the record is clear on that point. The legislation though, could place a liability against the state which could be detrimental to the integrity of the state government in the future.

SENATOR CURRIER: Senator Hough, isn't it true, however, that the general revenue sharings have been frozen since 1983?

SENATOR HOUGH: The issue here is the state's resources and returning them to cities and towns. The policy of this body in the last biennium, as opposed to our counterparts on the other side of the wall, is to place greater and greater amounts of our resources back into the local communities and that is what the record shows.

Adopted.

Senator Currier and Senator Johnson wished to be recorded as opposed.

SB 168-FN, establishing a division of fire service. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The amendment on this piece of legislation allows for the fire training activity, that is not in any agency, to be brought into the Department of Safety, along with the fire marshal's office under a division. We have amended the bill so that the receipts for tuition is received for the instruction throughout the state, goes to the general fund and a budget will be established and appropriated to run this agency. The impact, in terms of cost to the state, will be minimal because as the functions are presently being provided or the education services are presently being provided, we in the fiscal committee allowed them to receive the tuition and hire the teachers to go forward. We're putting this into a more properly budgeted agency within the Department of Safety.

AMENDMENT TO SB 168-FN

Amend RSA 21-P:28, II(c) and (d) as inserted by section 3 of the bill by replacing it with the following:

(c) Undertake any project and engage in any activity which will serve to improve public fire safety or public safety;

(d) Accept in the name of the state any and all donations and grants from any governmental unit, public agency, institution, person, firm, or corporation and receive, utilize, and dispose of the same subject to budgetary provisions and consistent with the rules of the commission and the purposes or conditions of the donation or grant. The receipt of a donation or grant shall be noted in the annual report of the commission, which shall also identify the nature of the donation or grant, and the conditions of the donation or grant, if any. Any moneys received by the commission pursuant to this paragraph shall be deposited in the state treasury to the account of the commission and shall not lapse. In addition, the commission may receive, hold, and use gifts, bequests, and devises either outright or in trust for purposes consistent with this chapter; and

(e) Except as provided in subparagraph (d), all moneys received for any services, including fees for tuition services, shall be unrestricted revenue credited to the general fund.

AMENDED ANALYSIS

This bill establishes a division of fire service within the department of safety, under the authority of a director of fire service. The division shall consist of 2 bureaus. The bureau of fire safety shall be supervised by the state fire marshal. The bureau of fire standards and training shall be supervised by the chief of fire standards and training.

The fire standards and training commission is transferred to the department of safety under this bill.

The bill includes transition provisions for officials affected by the transfer, and establishes group II retirement eligibility for certain officials. Transfers from the bureau of fire standards and training must be approved by the fire standards and training commission.

The bill provides that fees for tuition services and moneys received by the fire standards and training commission for other services shall be unrestricted revenue credited to the general fund.

Amendment adopted. Ordered to Third Reading.

SB 175-FN-A, making an appropriation to the arts development program. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 175 makes an appropriation to the arts development program. In the last session, we passed legislation to establish the arts development program to offer grants for planning, for development, for design and management of facilities. The appro-

priation on this bill is \$50,000 for each year of the next biennium and it will continue that program which the legislature has already established and which has benefited cultural facilities throughout New Hampshire. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 182-FN-A, making appropriations to expand the nursing programs at the New Hampshire vocational-technical college-Claremont. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The committee strongly endorses and supports the nursing program at the New Hampshire voc-technical college in Claremont. The amendment allows for the necessary funds to drive this activity to be used from the nonlapsing special account, which the voc-techs have in existence and it is specifically designed to foster programs of instruction. There is sufficient balance to get this program up and ongoing at the Claremont voc-tech.

AMENDMENT TO SB 182

Amend the bill by replacing sections 1 and 2 with the following:

1 Appropriation; Practical Nursing. In addition to any other sums appropriated, \$21,750 from New Hampshire vocational-technical college tuition funds and \$81,129 from funds available in the nonlapsing account established pursuant to 1987, 273:12 are hereby appropriated for the fiscal year ending June 30, 1990, to the New Hampshire vocational-technical college - Claremont for the purpose of funding the practical nursing program.

2 Appropriation; Associate Degree and Nurse Transition. In addition to any other sums appropriated, \$21,750 from New Hampshire vocational-technical college tuition funds and \$264,630 from funds available in the nonlapsing account established pursuant to 1987, 273:12 are hereby appropriated for the fiscal year ending June 30, 1990, to the New Hampshire vocational-technical college - Claremont for the purpose of funding the associate degree in nursing and nurse transition programs.

Amendment adopted. Ordered to Third Reading.

SB 65-FN, relative to mental health insurance benefits. Interim Study. Senator Delahunty for the Committee.

Senator Delahunty moved to lay SB 65-FN on the table.

Adopted.

Recess.

Out of Recess.

Senator Bartlett in the Chair:

SB 111, relative to the operation of ski craft. Inexpedient to Legislate. Senator St. Jean for the Committee.

SENATOR ST. JEAN: We heard a couple of different times SB 111. SB 111 became like various chiropractor bills. Wherever we went we heard about jet skis.

I think there was a little bit of help from lobbyists from both sides to sort of turn the whole thing and made much more of an issue than it should have been. If those of us who were around last year recall, we passed, under former Senator Hounsell's tutelage, the initial jet ski ban, which covered all lakes under 75 acres, which mentioned 15 specific lakes, among those was Squam Lake. That law became effective on October 1, 1988. We haven't even implemented this law and now we're back again with SB 111's ban of all jet skis. I just didn't think that was fair or proper. Quite frankly in this legislation, my district doesn't have any lakes. We have a river but no lakes. So, I didn't have any axe to grind when it came to this particular piece of legislation. I think we've really got to see the effect of the recently passed legislation to see what happens before we go banning jet skis. I think this is an over reaction, this particular piece of legislation. What you've got is you're pitting those who have lakefront property versus the have-nots. What came up in the hearing, more often than not, there was more of a matter of individuals not being policed and not having enough people out there to insure that jet skis abide by our safe passage laws. I think it became more of an enforcement problem. If we start banning jet skis, what type of message does that send to a small businessman who's been in business a number of years selling jet skis? And certainly, what does it say to individuals who have gone out and spent \$3,000 to \$5,000 on jet skis? We're a tourist state. We ought not to go around haphazardly banning jet skis. So, that's the reason why I and a couple of other members of the committee felt that this legislation was inexpedient to legislate.

Senator McLane moved to substitute ought to pass for committee report.

Adopted.

Senator McLane offered a floor amendment.

SENATOR MCLANE: I'm sorry that Senator St. Jean and so many of you have been bombarded by the issue of jet skis. There are 51 bills, in this legislative session, having to do with, perhaps next to our mountains our most precious resource, our lakes. The amendment that you have before you does not ban jet skis. It merely confines them to about 100,000 acres of the middle of our 60 largest lakes. Senator St. Jean, you may not have jet skis in your district, but I believe, particularly Senator Heath will testify, that hundreds of people have written letters concerned about the problem of jet skis. I think perhaps that I know none of you will want to buy the latest issue of Sports Illustrated because I believe it is a heavy and expensive one. It is the bathing suit issue; so I will save you that expenditure by showing you an advertisement that comes from that magazine. It is a domestic issue, in which it says; how to boil water and what it implies is very simple. Just select a suitable body of water; then apply throttle and start cooking! That is the sort of thing that we have on some of our small lakes in New Hampshire. For every person that's boiling water; in that way, you have 100 people - small children, little old ladies and fisherman - who are going crazy. I believe that the amendment that you have before you is a fine compromise. It eliminates the smallest lakes, those under 300 square acres. The lakes over 300 square acres will be set aside by the director of safety in the same way that ATV's are now provided for in our state parks. It is our assumption that 300 feet from shore, as the amendment states, where there is sufficient acreage so that the sound, the danger and the annoyance, is very muted that we will still have the pleasure of jet skis for those who wish them. Between 75 acres, which are now banned, and 300 it would have to be by petition with a public hearing. There is an explanation of the bill and I would be happy to answer any questions. But, I believe that we have to look at the broad picture which is that the majority of New Hampshire citizens find that this activity, in the same way that snowmobiling in the midst of ski areas or ATVing on the top of our mountains, is unacceptable. Fine the jet skis, lessen their pleasure of this probably most important resource that we have in New Hampshire. The beauty of our fresh water lakes. So, I would ask you to pass the amendment as it stands before you.

SENATOR NELSON: Senator St. Jean, did I hear you mention that we passed a law in October of 1988?

SENATOR ST. JEAN: We did Senator.

SENATOR NELSON: Have we had a summer session with jet skis on the lake since October?

SENATOR ST. JEAN: We have not and that is why I thought it was interesting that here we are passing more legislation when we haven't even allowed former Senator Hounsell's legislation to take effect and go through a whole jet ski season.

SENATOR NELSON: Senator St. Jean, in that legislation that we passed in October of 1988, it hasn't even had a chance to be tried, didn't we not in fact ban skis on certain lakes and say that these things could not in fact happen?

SENATOR ST. JEAN: It was my understanding that there were 15 specific lakes that were banned and all those 75 acres or less were banned.

SENATOR NELSON: Would you say that we are now getting into the business of over regulating regulations that we're regulating, regulating, regulating laws and regulations?

SENATOR ST. JEAN: I think that's a fair statement. I often hear on the floor of the Senate; the government ought not to be in the regulation business here in New Hampshire. This is the perfect example of taking the weakest link out there, the jet ski industry, coming in and telling them that we're going to ban them or if we don't ban them it's by petition, in this amendment between 75 acres and 300 acres. What you're saying is that you have to go to Mr. Danos over there at safety services and by petition you can open up the lake. You can also, in this amendment, the 100,000 acres that Senator McLane speaks about, that's fine, it's in the middle of Lake Winnepesaukee, for instance. How in God's world are you going to get out in the middle of the lake going headway speed - it would take you all afternoon on a jet ski to do just that. So, I think it's clearly, this amended version, is a ban in no uncertain terms.

SENATOR MAGEE: Senator St. Jean, why was this law of last year delayed until October and who asked for that delay?

SENATOR ST. JEAN: It was done, I think because former Senator Hounsell wanted us to wait some time that it didn't get implemented at the tail end of the season so there wasn't a lot of commotion. The other thing, Senator Magee, that I think you're going to have happen is if we in this body think that by banning jet skis is going to end our problem, let me tell you, if you think we had 52 or 53 pieces of legislation last session, we're going to have 100 pieces of legislation coming up in the following session. This is just the tip of the iceberg and I think the whole question of boating has to be dealt with, not with just a certain specific piece dealing with jet skis. I think it's going to cause more trouble than it's worth.

SENATOR DUPONT: I've listened to the debate here, obviously coming from an individual that's voted against all the speed restrictions and horsepower restrictions on all of the various bills that have come before the Senate before, because I've said all along that it's the responsible use of these water crafts. It's not the water craft itself. Senator St. Jean, in his wisdom, asked for a couple of these bills to come before Internal Affairs, and that gives you some idea of his wisdom when he had an opportunity not to have these bills and chose to have them. Having sat through some of those hearings on Internal Affairs, for many, many hours, I can assure you that it's not the pleasure of this Senator to spend the rest of this session debating the issue of water skis in New Hampshire.

What we have in front of us today is a problem that, as Senator St. Jean has indicated, is going to continue to surface time and time again during the next couple of years. At that committee hearing, I think some of us put the challenge to both the industry and the users of the jet skis to come forward with a proposal that will allow this legislature to get back to its important business, which is not jet skis this session, I can assure you. Quite frankly, we asked for the cooperation of both sides. Unfortunately, that cooperation wasn't forthcoming and what you have in front of you may be slanted towards one side and not quite totally fair to the other side, but I think it is an attempt by this legislation, by the Senate to hopefully put forward a responsible position on this issue. One that we can try. I'd be the first to admit that I am uncomfortable with parts of it, but seeing no other movement to put forward another proposal that will somehow will alleviate an obvious problem. I would urge my colleagues to go ahead with this proposal that we have in front of us and let's get on with the other important business in front of us this session.

SENATOR ST. JEAN: Senator Dupont, don't you think we should allow the legislation to take effect that we passed last session without coming back and regulating through the banning mechanism of jet skis?

SENATOR DUPONT: Senator, I would much prefer to have a piece of legislation pass that would allow us to address the problem statewide rather than having 40 bills in front of us that close down this lake or that lake or another lake. I think it's much fairer to assume that we have a problem in front of us, it needs a sound legislative proposal to resolve that problem and I think this amendment is that proposal.

SENATOR ST. JEAN: Senator, doesn't it make you uncomfortable when government gets into regulation business being a champion of the free enterprise system?

SENATOR DUPONT: Senator, there's no question about it, but I also respect the rights of individuals and I think that some cases the use of jet skis is infringed upon the enjoyment and safety of some of the individuals of our state and that's when government needs to intervene to protect the rights of our citizens.

SENATOR ST. JEAN: Don't you think that's the job of the state through safety services to monitor the goings on on our lakes?

SENATOR DUPONT: Senator, I agree with you and probably if we could afford to put five safety inspectors on every lake to chase jet skis we probably wouldn't need this piece of legislation. But, it's obvious that we don't have those resources and we don't have the ability to find people to go on all of the lakes because it's just too large a problem. This is an attempt to put jet skis into an area where they can be monitored to see how they properly operate the jet skis after we put this proposal out there. I think certainly, I'll be the first to stand up next year if this doesn't work, after this coming summer, and help you fashion another proposal that might more adequately address this problem.

SENATOR PODLES: Senator St. Jean, you and I listened for hours on testimony on this bill. Would you agree with me if I say that the problem is enforcement?

SENATOR ST. JEAN: Senator, I always agree with you. Yes, it is enforcement on these ski jets.

SENATOR PODLES: Would you also agree with me that passing SB 111 and the amendment will also make it more unenforceable?

SENATOR ST. JEAN: I think it will end up as a nightmare, Senator, and we should allow the law to take effect and then come back next session, take a look at it once the law takes effect. It makes a lot more sense than passing more legislation, Senator.

SENATOR NELSON: Senator Dupont, would you believe that there was a study committee to study this issue and in fact the people who are on the opposite side of this issue did in fact show up? Would you believe that the vote out of that committee was six to two? Would you believe that they did in fact come up here and give

their opinions and impressions on the record in a committee and there is nothing in any of this legislation to indicate their perspective?

SENATOR DUPONT: Senator, I would believe that. I have not seen the committee report.

SENATOR FREESE: Senator St. Jean, would you believe that I attended a Lakes Region Commission group last week and that the Governor was there addressing that group and said; "if I had my way, there wouldn't be a jet ski on any body of water in the State of New Hampshire." He got the biggest ovation of anything that he said during that evening and he spoke a half hour. Would you believe that?

SENATOR ST. JEAN: I would believe that our Governor would say something like that. I don't believe our former Governor would have said anything quite like that.

SENATOR FREESE: Would you believe that this morning, when this came to my attention, I was livid and was very adamant about supporting any such legislation before this Senate today. I've thought about that for a few hours and rather than have the industry and the ski jet banned from waters, which I think eventually is going to happen if we don't do something in their behalf, that I'm going to support the motion before the Senate today?

SENATOR ST. JEAN: Thank you for letting me know Senator Freese, it's still close.

Floor Amendment to SB 111

Amend the bill by replacing all after the enacting clause with the following:

1 Operation of Ski Craft. RSA 270:74, II, III, IV and V are repealed and reenacted to read as follows:

II. No person shall operate a ski craft within 150 feet of another ski craft or a boat.

III. The commissioner shall adopt rules and establish criteria under RSA 541-A to designate particular lakes, ponds or portions thereof as areas where the operation of ski craft is authorized and to provide for a public hearing process to obtain the information necessary for such designations. The commissioner shall post designated areas in which the operation of ski craft is authorized.

IV. No person shall operate a ski craft on lakes of more than 75 acres and less than 300 acres except where such operation is autho-

rized by the commissioner following a public hearing requested by 10 or more residents of the town or towns in which the lake is situated. No area where ski craft are prohibited by statute or session law shall be so designated. No area within 300 feet of shore shall be so designated except that the commissioner may designate areas within 150 feet of the shore of an uninhabited island.

V. No person shall operate a ski craft on lakes of more than 300 acres; provided the commissioner shall designate certain areas and times for operation of ski craft on such lakes. No area where ski craft are prohibited by statute or session law shall be so designated. No area within 300 feet of shore shall be so designated except that the commissioner may designate areas within 150 feet of the shore of an uninhabited island.

VI. If, in the opinion of the commissioner, the number of violations by ski craft in any authorized area becomes significant, the area may be closed to ski craft, and in such cases may be reopened to ski craft only in the sole discretion of the commissioner following a public hearing.

VII. Persons operating ski craft in areas designated by the commissioner shall proceed out from their launching point to the designated area and back at a speed not exceeding 5 miles per hour, and in a direct line between the shore and the designated area.

VIII. Any person operating a ski craft shall wear a personal flotation device which is Coast Guard approved type 1, 2 or 3.

2 Rulemaking. Amend RSA 21-P:14, II by inserting after subparagraph (s) the following new subparagraph:

(t) Lakes, ponds, or portions thereof designated as areas in which the operation of ski craft is authorized and a public hearing process, as authorized by RSA 270:74

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides that the commissioner of the department of safety shall adopt rules and establish criteria under RSA 541-A to designate particular lakes, ponds or portions thereof as areas for the operation of ski craft.

No area where ski craft have been prohibited by statute or session law shall be designated as an area for the operation of ski craft.

No area within 300 feet of shore shall be so designated, except the commissioner may designate areas within 150 feet of shore of an uninhabited island.

Persons operating ski craft in designated areas shall proceed from shore to the area and from the area to shore at a speed not exceeding 5 miles per hour.

The bill also requires ski craft operators to wear Coast Guard approved type 1, 2 or 3 personal flotation devices.

Senator St. Jean requested a division vote.

13 Yeas

10 Nays

Floor Amendment adopted. Ordered to Third Reading.

SB 160-FN, relative to emergency rate setting powers of the public utilities commission. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: You have before you SB 160-FN and I know you've heard many of the issues that are going to be raised about this particular piece of legislation this afternoon. What you have in front of you is a bill that deals with the emergency rate setting ability of the PUC. You've all heard me stand on this floor before and talk about a PUC that has the ability to regulate not taking that into your legislative hands and this is a piece of legislation that does that. However, I would like to speak to the amendment that's in the calendar because the amendment is in error. I would caution all of you to address the floor amendment that will be distributed after we get through talking about the bill before you.

As I previously indicated, the amendment in the calendar is incorrect so, what I would like to do at this point in time is urge my colleagues to defeat the committee amendment and then I will introduce a floor amendment that is correct.

Committee Amendment failed.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: You have before you the floor amendment that I'm offering in front of you today.

A little bit of history about the hearing that we had on this bill. Even though the intent of the sponsor of this bill was not to do anything to impact what is presently going on with PSNH and Seabrook, the hearing basically turned into a hearing on Public Service and Seabrook station. So, in order to allay any of those fears, the floor amendment that you have in front of you and what was the intention of the committee amendment was to make sure that what you have in front of you can not and will not address either PSNH's present problems or Seabrook. This would only affect any facilities that were constructed after January 1, 1990 or construction initiated.

I've spent much time talking about our energy future and anyone that says to you that a regulatory environment that one, allows what happened to PSNH take place; first off, allowing them to go ahead with a project that probably wasn't economical from the start and secondly, allowing them to go bankrupt indicates to me that the regulatory environment needs to be carefully looked at and some changes made. So, what I have in front of you today is a first step and hopefully giving back to the PUC the ability to regulate and that's all I'm asking you to do today. Let's take a look at our regulators and give them the tools to regulate.

SENATOR PRESTON: The amendment now before us takes away the bulk of the testimony I had because, as the amendment is addressed in the calendar, it would have allowed for the repeal of the anti-CWIP legislation. On any basis, I'm going to oppose what's in this bill. I think it's totally unnecessary and without rehashing the whole CWIP issue, it's very interesting, to me, that CWIP was only in effect for one year in this state. All of the fine electric facilities in this state were built, the Merrimack Plant in Bow, the Newington Plant, the Schiller Plant in Portsmouth without CWIP. The whole system was built without CWIP, even the president of Public Service Company testified, indicating they didn't require CWIP to complete the plant. So, Senator Dupont, let's not thrust the blame on those of us in this room or some people that oppose CWIP. The House passed legislation three times, anti-CWIP; the Senate passed it twice because the public utilities commission at the urging of governors who had politicized the issue were going to force that rate down the throats of the ratepayers. But, don't blame us for being the ones that broke the camels back with Public Service Company. That is not true. The rest of my testimony on the bill was to speak to the amendment that was taken out. This isn't necessary, it's not necessary in Portsmouth, and it's not necessary to allow any utility, that I'm aware of, to build any power generating facility. Historically, we've done it without it, we don't need it.

SENATOR DUPONT: Senator Preston, could you address the issue of emergency rates because the testimony that I just heard from you was on specifically repealing the anti-CWIP law and I think what we have in front of us passes a bill on emergency rates.

SENATOR PRESTON: If emergency rates, I don't know what you intend, Senator. I was going to address the emergency rates as they were written in the amendment that you had that would have allowed, as I say it, bringing Seabrook construction into emergency rates. I don't trust the process, Senator. I don't know what emer-

gency rates are. Would they be allowing 30% to allow Public Service to continue to operate as they are today? In your opinion, is that an emergency? It's not in mine. So, I guess it's in the eyes of the beholder.

SENATOR JOHNSON: With all due respect to Senator Dupont who has certainly put in a great deal of time and effort and I think his intentions are strictly honorable. I feel uncomfortable voting on this bill at this particular time. I feel a little bit like what happened down at the bankruptcy court a few days ago. The judge said that the PUC could not proceed with its document because it would divert the energies and resources of Public Service Company of New Hampshire back to the PUC hearing and he didn't want to see that happen. I feel, as I stand here today, very uncomfortable with this whole issue. The whole issue is stirred up and I'm really not in a position to make any kind of a reasonable judgment on it. It may very well be a timely move in the next year, but I think since we're right in the middle of this whole bankruptcy issue that it is an awkward time to hear this bill.

SENATOR DUPONT: Senator, would you believe that the reason why I believe in a strong PUC is specifically so that we won't find ourselves in the situation where we don't have control over rates anymore. I think that the statement that you made was alluding to the fact that the rate making authority no longer resides in the PUC's hands, but in the bankruptcy court hands?

SENATOR JOHNSON: I would believe that.

Division vote:	10 Yeas	12 Nays
Floor amendment failed.		

Senator Preston moved to substitute inexpedient to legislate for the committee report.

Adopted.

SB 64-FN, relative to asbestos management penalties. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: This was a request, relatively a housekeeping bill, to strengthen the asbestos management penalties from the health department.

Adopted. Ordered to Third Reading.

SB 66-FN, relative to deregulation of haulers of solid waste. Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: In 1978 there was a lawsuit, Naughton vs the PUC, that said haulers of garbage were not regulated by the PUC, which then did transportation regulation. Today, that regulation is moving over into safety, but in the meantime it was in department of transportation and they continued to do some regulation of garbage haulers. This is simply, in terms of giving out territories, this basically lines up with the Naughton decision and prohibits them from granting exclusive territories. It leaves free competition.

AMENDMENT TO SB 66

Amend the title of the bill by replacing it with the following:

AN ACT

relative to regulation of transporters of solid waste.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Solid Waste Transporters. Amend RSA 21-P:14, V by inserting after subparagraph (q) the following new subparagraph:

(r) Procedures for issuing permits and enforcing the solid waste transporter permit program in accordance with RSA 149-M:22 and 149-M:23.

2 New Subdivision; Transporter Permit; Solid Waste Transporters. Amend RSA 149-M by inserting after section 21 the following new subdivision:

Solid Waste Transportation

149-M:22 Solid Waste Transporter Permits; Fees; General Provisions.

I. The department of safety shall administer and enforce the solid waste transporter permit program.

II. Any transporter of solid waste within the state, or within any municipality within the state, shall obtain a transporter permit from the department of safety before engaging in the transportation of solid waste. For the purposes of this subdivision, "solid waste" means "solid waste" as defined in RSA 149-M:1, XIX, but excluding "septage" as defined in RSA 149-M:1, XVIII.

III. A permit application fee of \$100 plus \$25 for each vehicle listed in the application form, including trailers, flat beds, and

barges, shall accompany each permit and permit renewal application. The department of safety shall refund the individual vehicle fees if the application is denied.

IV. Information submitted with each permit and permit renewal application shall include, but not be limited to:

(a) Vehicles to be used in transportation.

(b) The types of solid wastes which the transporter proposes to transport.

(c) The generators for whom the transporter will be transporting solid wastes.

(d) Proof of financial responsibility.

V. If the application is approved, a transporter permit shall be issued for one year, subject to modification, suspension or revocation by the department of safety.

VI. The department of safety may modify, suspend or revoke a transporter permit if the permit holder does not comply with rules adopted by the commissioner of safety under this subdivision, or with the transporter permit.

VII. Fees received by the department of safety under this section shall be used in processing transporter permit applications.

VIII. The department of safety may deny a permit application under this section to a person if the person fails to demonstrate sufficient reliability, expertise, integrity and competence to transport solid waste.

IX. Any solid waste transporter violating rules adopted by the commissioner of safety or the terms of a transporter permit shall be guilty of a violation, and shall be subject to a fine as determined by the commissioner in accordance with a fine schedule adopted under RSA 541-A.

X. The department of safety shall coordinate the permitting of solid waste transporters with city, town, and municipal governments representing communities served by such solid waste transporters.

XI. Nothing in this subdivision shall be construed to authorize the department of safety to impose territories, service districts, grant exclusive permits or in any other manner, limit the service area of any commercial solid waste transporter in this state.

149-M:23 Rulemaking. The commissioner of safety shall adopt rules, under RSA 541-A, relative to:

I. Standards for solid waste transporters.

II. Administration of the solid waste transporter permit system, including the terms and conditions under which a permit may be issued, modified, suspended, revoked, or denied.

III. A schedule of fines to be imposed under RSA 149-M:22, IX.

3 Exemption from Common Carrier for Hire; Solid Waste Transporters. Amend RSA 375-B:3 by inserting after paragraph VI the following new paragraph:

VII. Commercial motor vehicles engaged in hauling or transporting solid waste in accordance with RSA 149-M:22 and 149-M:23.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

The bill authorizes the department of safety to issue permits for all solid waste transporters in the state. The department would issue permits and collect fees for all such solid waste transporters.

The bill excludes solid waste transporters from the definitions of common carriers by motor vehicle and contract carriers by motor vehicle for purposes of regulation by the department of safety. Amendment adopted. Ordered to Third Reading.

Senator Nelson and Senator Magee wished to be recorded as opposed.

SB 163-FN, relative to power production capacity of certain small power production facilities. Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: This bill allows small power production facilities that are 20 megawatts and less, who have very special rates set for those production facilities that already have extra capacity to generate up to that extra capacity they have, but that additional above those special set rates will be negotiated or set by the PUC. And PSNH, which is the buyer of that, agreed to this as well as the small generators.

AMENDMENT TO SB 163-FN

Amend RSA 362-A:9, II as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding this 20 megawatt limitation, any small power production facility as described in paragraph I shall be deemed a qualifying small power production facility, even if it has a power production capacity greater than 20 megawatts, provided it would otherwise be a qualifying small power production facility and does not exceed a total power production of 30 megawatts. Existing preferential contracts and approved rate orders shall continue in effect in accordance with the terms established as of December 1, 1988, and

shall not be affected by the increased ceiling to 30 megawatts. However, the additional amount of energy produced over the amount previously authorized by the commission shall not be sold under the preferential terms or rates, but shall be sold pursuant to currently negotiated and defined contracts and rate orders.

AMENDED ANALYSIS

The bill allows certain existing small power production facilities to increase their power production capacity to 30 megawatts. By definition, the power production capacity of small power production facilities may not now exceed 20 megawatts. The power produced attributable to the increased size may be sold under applicable federal and state law or by contract, but shall not be sold under the existing power sales arrangement of the small power production facility.

Amendment adopted.

Senator Heath offered a floor amendment.

SENATOR HEATH: When we drafted the committee amendment the language got mixed up and so, I have a floor amendment which I'd like to replace the amendment in your calendar with. This is the language that the committee agreed on and it is also the language that both PSNH and the small energy power producers agreed on. The capacity set in that answers the question that the PUC had about allowing them no ceiling. We set the capacity at 30 megawatts. There is no plant built today that would come under this law that could even approach 30 megawatts.

Floor Amendment to SB 163-FN

Amend RSA 362-A:9, II as inserted by section 1 of the bill by replacing it with the following:

II. Notwithstanding this 20 megawatt limitation, any small power production facility, as described in paragraph I, shall be deemed a qualifying small power production facility, even if it has a power production capacity greater than 20 megawatts, provided it would otherwise be a qualifying small power production facility and does not exceed a total power production capacity of 30 megawatts. Any capacity and the associated energy additions to a qualifying small power production facility, as defined in this section, made after the effective date of this act shall be purchased in accordance with applicable law and may be purchased under a contract. Such capacity and associated energy addition, however, shall not be purchased

under either any negotiated power purchase contract or rates established by order of the commission, in effect on December 1, 1988.

AMENDED ANALYSIS

The bill allows certain existing small power production facilities to increase their power production capacity to greater than 20 megawatts. By definition, the power production capacity of small power production facilities may not now exceed 20 megawatts. The power produced attributable to the increased size may be sold under applicable federal and state law or by contract, but shall not be sold under the existing power sales arrangement of the small power production facility.

Floor Amendment adopted. Ordered to Third Reading.

SB 191-FN-A, relative to telecommunications devices for the deaf and making an appropriation therefor. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: We've gone through a couple of tough debates on bills so far today, but SB 191 is a bill that I think we're all going to be able to feel real good about. It's a bill that will open state government to the speech and hearing impaired. The purpose of this act is to require all state agencies to be fully communication accessible to persons with a hearing loss or a physical impairment, which would require them to use specialized telecommunication devices. The act recognizes that it is a fundamental basic right consistent with a concept of a barrier free society that the citizens of New Hampshire, having telephone related physical disabilities, be provided full and complete access to all state agencies and the services that they provide. The state agencies then would be required to use and publicize the New Hampshire teletypewriting relay number.

The bill also authorizes a contract between the department of administrative services and the community services council of Merrimack County, the so called Helpline, to provide teletypewriter access for the deaf, the hard of hearing and other speech impaired residents of the state. It's a bill that we should vote for enthusiastically and go home and feel good about it.

AMENDMENT TO SB 191-FN-A

Amend the bill by replacing section 1 with the following:

1 Purpose. The purpose of this act is to require all state agencies to be fully communication accessible to persons with hearing loss or physical impairment requiring them to use a specialized telecommunication device. The act recognizes that it is a fundamental, basic

right consistent with the concept of a barrier-free society that the citizens of New Hampshire having telephone-related physical disabilities be provided full and complete access to all state agencies and the services they provide. Therefore, all state agencies are required under this act to use and publicize the New Hampshire TTY/TTD Relay Service.

Amend the bill by replacing section 3 with the following:

3 Contract Authorized. The department of administrative services is hereby authorized to contract with the Community Services Council of Merrimack County Help Line in order to provide teletypewriter (TTY/TDD) access for the deaf, hard of hearing, and speech-impaired residents of the state to all state departments, divisions, commissions, offices, bureaus, boards, or other state bodies.

Amend the bill by replacing section 5 with the following:

5 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill requires that all state agencies use and publicize the teletypewriter device for the deaf, hard of hearing, and speech-impaired residents of the state and authorizes the department of administrative services to contract with the Community Services Council of Merrimack County Help Line in order to provide teletypewriter access to all state agencies. The bill also makes an appropriation for such purpose.

Amendment adopted. Referred to Finance (Rule #24)

SB 110, relative to joint and several liability and to pollution liability. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 110 provides that defendants involved in personal injury lawsuit could only be held liable for their percentage of the damages. Pollution and environmental liability claims would be excluded from this change in the law and not affected by this legislation. The committee testimony disclosed that manufacturers, professionals and public agencies, in particular, become targets for damage recoveries because of their potential monetary resources rather than their fault. The bill attempts to treat fairly those entities which may be unfairly treated under the present statute. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 112, relative to corporal punishment in and the regulation of child care agencies and schools. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: The amendment on SB 112 is now the bill. It establishes a study committee to examine the issue of corporal punishment and the licensing and regulation of private kindergartens and nursery schools in the state. Corporal punishment does exist and this committee is established to study that. I have a letter from the department of education and they go along with this and the committee recommends ought to pass with amendment.

AMENDMENT TO SB 112

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a study committee to examine corporal punishment in and the regulation of child care agencies and schools.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established; Duties. There is established a study committee to examine the issue of corporal punishment and the licensing and regulation of private kindergartens and nursery schools in the state. The duties of the committee shall be:

I. To study various state laws on corporal punishment.

II. To recommend coordinated administrative guidelines for regulating corporal punishment.

III. To recommend enforcement procedures and penalties for violations of guidelines recommended under paragraph II.

IV. To recommend procedures for licensing and regulating public and private nursery schools.

V. To recommend procedures for cooperation among all agencies involved in the approval and licensing of public and private preschool programs for handicapped and non-handicapped students.

VI. To identify resources needed to carry out recommendations made pursuant to this act.

2 Membership. The membership of the committee shall be:

I. Four members from the department of education, appointed by the commissioner of education.

II. Three members from the department of health and human services, appointed by the commissioner of health and human services.

3 Meetings; Chair. The first meeting of the committee shall be called by the commissioner of education or designee and shall take place within 30 days after the effective date of this act. The chair of the committee shall be chosen by a majority vote of the members at the first meeting.

4 Report. The committee shall make a report of its findings and recommendations, including any proposed legislation, to the speaker of the house, the president of the senate, and the governor, on or before October 1, 1989.

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a study committee to examine the issue of corporal punishment and the licensing and regulation of private kindergartens and nursery schools in the state.

Amendment adopted.

Senator Freese offered a floor amendment.

SENATOR FREESE: You'll find the committee amendment on page 6 of calendar 11, down towards the middle of the page, and if you look under that amendment under membership, it designates four members from the department of education appointed by the commissioner of education; roman numeral two, three members from the department of health and human services appointed by the commissioner of health and human services; roman numeral three, two members representing the interest of private schools of religious affiliation appointed by the state board of education and roman numeral four; one member from the nonpublic school advisory council appointed by the state board of education.

SENATOR DISNARD: Senator Freese, I'd like to commend you on including the nonpublic schools, but would there be a problem if both the members of section three, religious, came from the same religious sector?

SENATOR FREESE: I think it would be better if they didn't. If the schools were aware of the legislation they could call in and ask to be considered for appointment.

SENATOR PODLES: I object to the amendment. If you'll look at the amendment in the calendar, it doesn't limit the committee. It leaves it up to the board of education and it leaves the composition of the schools to the board of education. I am sure they will seek the

input from the Christian schools and once you name the Christian school without naming other schools I think you're apt to create a problem and I would hope that the floor amendment is defeated and leave this up to the board of education. They have given the committee a letter and this is the way they wanted the composition of the committee.

SENATOR BOND: I rise in support of the floor amendment simply because in fairness, when an issue is being addressed and a specific segment of the population is being effected by that legislation, they should be in a position to have some direct input as a part of the committee.

SENATOR KING: I had intended to offer a floor amendment, just like this one, and then I talked to Senator Freese at the beginning and I just want everyone to know that I support it.

Floor Amendment to SB 112

Amend the bill by replacing section 2 with the following:

2 Membership. The membership of the committee shall be:

I. Four members from the department of education, appointed by the commissioner of education.

II. Three members from the department of health and human services, appointed by the commissioner of health and human services.

III. Two members representing the interest of private schools of religious affiliation, appointed by the state board of education.

IV. One member from a nonpublic school advisory council, appointed by the state board of education.

Floor Amendment adopted. Ordered to Third Reading.

SB 123, relative to the right-to-know law. Interim Study. Senator Bass for the Committee.

SENATOR BASS: This bill tightens up the exception in the definition of the term meeting in the right-to-know law. It does two things. First of all, it limits the capacity in which non-meetings can occur for consultation with legal counsel and adds the phrase, "for the purpose of receiving legal advice," which limits that. It also prohibits any body other than "the body or agency from attending executive sessions". This is basically intended to try to tighten up some of the perceived abuses that may or may not be occurring in the right-to-know law. The committee applauds the intent of this. However, it

does bring up substantial questions which may hinder the ability for agencies or bodies to conduct business effectively and so, because the committee considers the issue to be of substance, but there are questions that need to be answered, we recommend interim study.

Adopted.

SB 136-FN, prohibiting abortions performed on certain minors without parental consent. Ought to Pass. Senator Roberge for the Committee.

SENATOR ROBERGE: I urge you to pass this important legislation to protect our children. This bill says discuss your situation and make an informed decision.

We know as adults that we isolate our problems and find solutions to the problem, this is a mature approach. But, we are dealing with children and states nationwide deal with children differently than adults.

Children are simply not small adults. Children tend to be impulsive and go for the quick solution regardless of the lasting consequences. A girl with a close relationship with her family doesn't want to disappoint that family. She knows if she goes and she tells them the problem they are going to be hurt, they're going to be disappointed and they're just going to feel bad. Nobody wants their family to feel badly about them. All the more important for the girl who has a good relationship with her family because she doesn't want to hurt them. She loves them too much to hurt them. So, she's very likely to go out and get the quick fix without telling them and hoping they'll never find out.

I have a friend and constituent in Bedford and, she has done pregnancy counseling. A young girl came to her and she was very concerned. She said I want an abortion and she talked with her for quite a long time and the girl said, no I still want the abortion. So, she went off and a week later she came back and she said; you know I really have mixed feelings about this. I'd really like to tell my parents but I'm afraid. My mother will kill me, my father will be upset; it's going to be a terrible problem, I don't want to tell them this awful thing that's happened to me because they'll be so hurt and disappointed in me. So, she talked to the girl and talked to her for about a week and they discussed it very thoroughly and the girl went to her parents. She told her parents and there was silence. Nobody said anything. You could have heard a pin drop. Her father didn't say anything. He got up and slammed the door and took off in

the car. Her mother was still there and her mother was still crying. She's very, very upset and so she said; gee maybe Dad's gone out and he might be drinking and he might get into an accident. He's really, really upset. Then about an hour later, she's still waiting for her father to come home. He comes home and he gives her a gift. The gift has blue wrapping on it. He said; open the gift. She asked what it was. He said it was a present for the baby!

The parents are going to be upset, they're going to be disappointed, but they are mature people. They'll get over it. They've had a lot of things happen in their lives. This isn't the worst and it's not the best!

So, the bill says; a young woman should consult one parent or a guardian. That she needs a notarized statement to prevent it from being forged. And if she can't get the permission or she doesn't want to get the permission, she can still go to a judge and he can hopefully counsel her a little bit more, making sure that she knows what she's doing, she knows that this is an important medical procedure, and she's thought it through, and if she still wants an abortion the law provides that she will have an abortion. But, at least it will be informed consent. We have a clinic in Manchester that has classes every Monday night. They have about a dozen women and they meet for 7 sessions. They can't keep up with the demand. These women are there because they say, if I'd only known; if I'd known what it was going to be like. They can't deal with the afterthought of how they feel after they've had this abortion. It's a terrible thing. They say if I had known, if I had had informed consent, I wouldn't have done it. That's what this center does. It counsels these women and they can't keep up with the demand. We have a situation also, and it's happening more and more. The boyfriend/father, and his family are pressuring the young lady to get an abortion. Now, the father, the boy's family, knows about this, they want this girl to get an abortion. Her family doesn't know anything about it. The father's family is telling her they don't want the girl's family to know. They might have some other ideas for their daughter who they are responsible for. I think this is totally, totally out of the question. They're discussing with her and deliberately telling her not to tell her parents. Go and get an abortion to make it easier for their son and deliberately sidetrack the young lady's parents. And I think that's something we all ought to consider. I didn't realize that. This came to light very recently. I think what we've got to do is that we've got to protect our children who we are responsible for. We've got to talk to them. The bill provides an alternative for those girls who can not go to their parents. But, I think that a lot of the girls that we're talking about are just normal girls, with nice families, they could go but they don't

want to go because their parents are going to be disappointed. That's not a terrible problem in this day and age. The parents will get over it; it's not a terrible problem. It's not a terrible disgrace and I think that's the way we should be looking at this bill. It's an important bill and I hope you vote ought to pass.

SENATOR CHARBONNEAU: As a mother of five children; two boys and three girls, it has been my good fortune to be able to communicate with my children. But, I must tell you that not all of my children's friends have enjoyed opened lines of communication with their parents. There are many young people out there today who are unable to have any communication with their parents for various reasons. We live in a time when many difficult decisions have to be made by our young people. From drugs to education and many will alter their lives in the future. Nevertheless, they are there, decisions to be made and they're responsibility. I'm going to quote something from the legislative book: Colleen Cornel noted that the National Academy of Science Report Risking The Future concludes that parental notification and consent statutes create an unnecessary burden on pregnant minors considering an abortion. The report indicates that rather than notify their parents or seek their written consent, pregnant teenagers will travel to another state, self abort or seek illegal practitioner. When all this is said and done, decisions such as these of SB 136, are judged by the Almighty and not by a government body. The majority that testified were against SB 136 for various reasons. It is with this in mind that I urge you to vote inexpedient to legislate.

Senator Bass offered a floor amendment.

SENATOR BASS: I'd like to refer the Senators to the floor amendment that was passed out a few minutes ago. I want to apologize, Mr. President, for the fact that this amendment hasn't been made a part of the record during the public hearing process, but Mr. President, I am not pro-choice. I am not right-to-life. I am in favor of providing this society with a piece of legislation that will address the concerns that were so aptly brought up by the distinguished Senator from Bedford. I'd like to associate myself with the remarks of Senator Roberge and I would like to say that, in my opinion at least, they apply very aptly to this amendment.

There are two issues facing us in this legislation before us. The first is whether or not you agree or disagree with a minor's right to an abortion and the second issue is whether or not you think a minor should receive the benefit of advice before an abortion is either per-

formed or a decision is made not to perform the abortion. I have not been exposed to this abortion issue for any great period of time, so I decided to approach it from the same standpoint that any legislator would approach an issue such as this one. I went to the public hearing, I listened to the debate and I took the information that I received from that public testimony and translated it into, what I considered to be, a pure informed consent statute. I cleaned up, in my opinion, some of the drafting problems that exist in SB 136 and I think I've come out with something that we can all support that will achieve the function of allowing a child to get the necessary information that will give her the capability of making a decision either for or against having an abortion. I support informed consent and I think informed consent is an important part of the process that a minor goes through in determining whether or not she should have an abortion. The problem is that the court system is not going to achieve that result. The probate court is probably the worst court that you could possibly select for this process. Besides adoptions I don't know of anything that the probate courts are involved in, that's a land court; estates, wills, taxes, that sort of thing. In Massachusetts they utilize the superior court, but it's my understanding that the superior court in New Hampshire is dead set against this sort of thing and they're trying to stay away from it. My proposal takes, in essence, the issue of the independent waiver consent out of the court and puts it into people who are really qualified to give the minor the kind of advice that she needs in order to make the decision to have the abortion. Number one, it calls upon a doctor who is not associated with the facility to make the same findings that are listed in SB 136. The second part requires that a woman over the age of 21, who has born a child full term; let me read this - that the minor is mature, well enough informed to make the abortion decision on her own and that the performance of the abortion would be in the minors best interest. In addition to that, she has to certify that she's over 21 and has carried a child to full term and two; that she's explained to the minor the consequences of bearing a child.

What this amendment does is just exactly the same thing that the original bill does, as far as information is concerned and I think it could be argued that these two people are going to do a much better job than one court judge who may or may not know anything about a situation which may dominate during an abortion proceeding with a minor. I would like to urge the Senate to adopt this amendment as a good compromise. It will achieve the results that have been envisioned by it's sponsors, it's workable and this is truly a family amendment.

SENATOR BOND: I rise in support of the bill. I have no comment on the amendment because I have not had a chance to thoroughly digest it. It is important that this not be considered a pro-life or a pro-abortion bill. That this be seen in the light that is intended and that is that a girl be properly informed before making an act, which in the retrospect, she could be very regretful of. So, I support SB 136.

SENATOR FREESE: I've received many pieces of mail on SB 136. I rise in favor of the minority report. I want to read you a sample of the kind of correspondence that I've been receiving: "I am writing to let you know that I am opposed to SB 136. I do not believe such a bill would enhance family unity. In my experience, most teenagers do involve their families in a decision to have an abortion. In those few cases where a young lady is unable to involve her family in the decision, for fear of a loss of support and further deterioration in the relationship, forcing that young lady to go through the court proceeding will add nothing to the process. It is important that a young woman faced with this decision receive counseling and support. It does not appear to me that the proposed bill does anything to provide these services. I'm also concerned that such a bill will merely clog the courts with the additional and essentially meaningless review process." I therefore support the minority report.

SENATOR STEPHEN: I am in support of Senator Roberge's bill. Rarely does a bill provide this Senate with an opportunity to speak out for traditional family values and I think this is very important. I want to say that the mayor of the city of Manchester wanted to make sure I relate this message that he urges your endorsement because the young adults deserve our help at this important decision and time in their life.

SENATOR KRASKER: If this were just an issue of strengthening the family or helping young girls, I think all of us would be in support of this legislation. Certainly, the legislative records of those of us who oppose the legislation are equal in commitment to strong family units and physically and mentally healthy children. I had not anticipated an amendment, but I will vote against the amendment as I vote against the bill because, the bill has a purpose, the purpose reportedly is to protect minors against their own immaturity. But, if you look at the statement of purpose on page 2, you'll see that the consent of a parent without the consent of a minor shall not authorize the performance of an abortion on the minor by a physician. And I think this reveals the obvious contradiction within the bill and certainly the purpose of the bill. It's not a truly parental consent law, it's

rather a law to restrict abortions. If a minor decides to abort then she is considered immature. If a minor decides to have a baby of the same age, she is considered mature! And she can make this decision unilaterally. There already exists exceptions in law to parental consent. There are exceptions when a child is emancipated, an emergency exists or a fundamental right of privacy would be abridged. In addition, there are a limited number of medical services that allow minors to undergo treatment without parental consent. Treatment of venereal disease is in our statutes without parental consent and drug dependency, treatment for this is also allowed without parental consent. I think Senator Freese spoke very eloquently in the letter he read to the fact that SB 136 really hurts the most vulnerable and helpless of young children. Warm loving parents are always involved in their children's decision making. Unfortunately, not all girls have this safety net. There are some girls who really fear their parents. They are victims of abuse and, unfortunately, incest is on the rise. Teenage pregnancies are unplanned and they are unwanted. But these vulnerable young girls who are pregnant and alone, face the added trauma of a court hearing to receive permission from a judge and then they risk the increased physical risk from a delay in any kind of medical procedure. I, too, received mail from my constituents and I will tell you honestly that I did not receive a communication from one parent who wasn't involved in a group, asking me to support this because the parents who care are already involved. But, I did receive communication from people who work with young girls, who work with pregnant young girls and one of them, Doris Reagan from Portsmouth, was our school nurse, up until her recent retirement, for 25 years and she said; "After 25 years of experience in high school nursing, after dealing with countless teenage pregnancy's, I feel that I'm writing to you with some authority. I submit that establishing a law that requires in every case that a young woman have full consent of her parent in order to have an abortion is neither wise nor humane". She said, "As a school nurse it was extremely important to me to know a great deal about the pregnant teenager. In over 95% of the cases, counselors and myself have found that the best solutions must involve the family. And if this family is a nurturing and stable one, the pregnant teen has a measurable support. However", and I'm going to say this in conclusion, she said, "with direct and clear language many families are not intact, they are not mentally capable, they are not able to communicate with their child. In that case, to pass a blanket law which applies to everybody, but only penalizes the most vulnerable and the most helpless is a bad course for us to take".

SENATOR KING: We're getting a little bit confusing here in that we have an amendment on the floor as well as the bill itself. I just want to address myself real quickly to Senator Bass's amendment because I've just had a chance to go through it. I guess I should say first though, that I think that there's nothing that government can do that will make families love one another and respect one another and communicate with one another, no matter how much we try and that that has to come within the family itself.

However, having read this amendment, this is something that I feel I could live with because it actually provides informed consent for a minor but it's not going to bog down the court system, it's not going to terrify a minor to a point where they'll be afraid of both of their options and therefore possibly do something rash. So, I'm rising to support Senator Bass's amendment. Without this amendment I will oppose the bill.

SENATOR ROBERGE: I urge you to pass the bill and to defeat the amendment. The amendment mentions a women who has born a child over 21, I don't think every women who is over 21 has born a child probably could give the kind of counseling that a minor should have. The bill provides for a hearing at the probate court. Probate court deals with adoptions, terminations of parental rights, guardianship hearings, and other emotional family issues. This is where the girl should go for the informed counseling that she should have. I don't believe that it is strong enough so that the girl can go to any women over 21 who has born a child. That's just too loose a standard.

I was also going to say in connection with Senator Charbonneau, in 1979 when abortions were illegal there was less problems with difficulties and injuries from abortions because if a girl had a problem and you got caught having given this girl an abortion you went to jail. Pretty important standard. Of course, now it's legal and if a girl has a problem, you don't have to go to jail. I think it's important to think about. You know, we're talking about coat hangers and things like that. There is a speciality in psychiatry, they specialize in post abortion counseling. It is known that the remorse chiefly takes place about 10 years after the abortion takes place. This is now a speciality in psychiatry. It's not something a girl is going to get over just because she has a medical procedure. It's a mental procedure as well as a physical procedure. She's not going to get over that easily. She's going to need counseling, she's going to need support from people who are with her constantly, hopefully her family. I do believe that particularly loving families don't want to hurt each other. I know we've all been young, it wasn't that long ago, that we didn't want to

tell our parents anything that we didn't think they wanted to hear. We wanted to tell them how good we were, we wanted them to feel good about us, and it was the last thing that we wanted to do to go to them with this kind of problem. So, I urge you please, pass the bill unamended.

SENATOR MCLANE: First of all, Senator Roberge, I feel that we've been dealing in heresay, stories, and I want to ask you two questions of fact. One; isn't it true that the surgeon general recently appeared with a statement saying that he would not go forward with any report as to the mental effects of having an abortion because he felt that it could not be proven that having an abortion was any more harmful than going to term with a baby that was an unwanted baby. Is that a fact?

SENATOR ROBERGE: I really couldn't address what Surgeon General Koop feels or anything else. I think there are enough people who have as much experience as Surgeon General Koop who can make a different decision.

SENATOR MCLANE: The second question was, also about the evidence presented at your hearing about the experience with this bill in Massachusetts. Is it not true that 9,000 times they halted all proceedings in court for one of these proceedings to go through and yet in only two instances out of those 9,000 was it determined that the women was not mature enough to have this procedure. Is that the evidence that was presented at the hearing that day?

SENATOR ROBERGE: Senator McLane, that young lady had her chance and she had a chance to speak to somebody with an unbiased experienced opinion and I think it's important that she was there and received the advice of this person.

SENATOR JOHNSON: I rise in support of the minority report. I'd like everybody to know, particularly Senator Roberge and others here, that I've agonized over this particular issue more than any other bill that has come before this legislature in the four terms that I've been here. I've talked this over in great detail with my two daughters and my daughter-in-law and they in turn talked it over with other people and came back to me and said that they really didn't think that this approach would work. I think after agonizing and discussing these issues over the last three terms, that I have come to one indisputable conclusion for myself and that is that an unwanted pregnancy presents a dilemma. And it's my belief that it's a no win situation . Yes, Senator Roberge, people will regret that

kind of decision, I have no doubt about that, I believe that. But, on the other hand, I read in the papers, I see what's going on in our society and I think to bring an unwanted, unloved child into the world, and yes I understand about the adoption part; but that isn't what usually happens. I see too many unwanted, unloved children brought into this world who then become the victims of child abuse and neglect and I think that in the final analysis my feeling is not bring the unwanted children into the world.

SENATOR ROBERGE: Senator McLane, what is the cost of an abortion at the Concord Clinic?

SENATOR MCLANE: I don't know.

SENATOR BASS: Senator Roberge, at the public hearing I just remembered that an amendment was introduced and I think it had your name on it and it was asked that the committee adopt the amendment. Do you remember that amendment?

SENATOR ROBERGE: No I don't. I only remember yours.

SENATOR BASS: It had to do with the records being closed, did it not?

SENATOR ROBERGE: I believe it's in here.

SENATOR BASS: Where does it say that?

SENATOR ROBERGE: Page 3, bottom of the page, roman numeral 4, court proceedings on this section shall be anonymous until given preference over.

SENATOR BASS: Senator Roberge, is it not true that it doesn't say anything here to the effect that the records will be closed and that was in an amendment that you produced and it would appear that the committee failed to take it up?

SENATOR ROBERGE: The bill is fine the way it is.

SENATOR BASS: Senator Roberge, it says here on the top of page 4 that there is a 48 hour limitation on a proceeding. Do you think there is any statutory or constitutional requirement that the court abide by that 48 hour limitation?

SENATOR ROBERGE: Yes.

SENATOR BASS: What is it?

SENATOR ROBERGE: I think this bill provides for it.

SENATOR BASS: Would you believe Senator Roberge, that the courts don't have to abide by anything in the statutes that requires time? It's a common practice that they proceed at their own pace. The only way to achieve that is to say that if the 48 hour period was not abided by then the waiver would be automatized granted?

SENATOR ROBERGE: I don't believe that, Senator Bass. I think the legislative intent is very clear in this bill.

SENATOR ROBERGE: Senator Krasker, what is the cost of an abortion at the Portsmouth Clinic?

SENATOR KRASKER: I have no idea. I've never had one.

SENATOR ROBERGE: Senator McLane, the cost of an abortion at the Concord Clinic is \$275. Senator Krasker, the cost of an abortion at the Portsmouth facility is \$285. The point is that the people are making money out of this and it isn't on the easy payment plan and they are getting their money up front. Ob-Gyn in Concord gets \$325 for an abortion. These kids are being exploited. These people are doing it for money. These young people are supporting these abortion clinics and I don't think it's right. It's not for nothing. They're making money on a procedure.

Floor Amendment failed.

Question: Order to Third Reading.

Roll Call requested by Senator Roberge.
Seconded by Senator Magee.

The following Senators voted yes: Bond, Heath, Dupont, Disnard, Roberge, Magee, Nelson, Podles, Stephen, Bartlett, St. Jean, Delahunty and Preston.

The following Senators voted no: King, Freese, Hough, Currier, Blaisdell, Bass, Charbonneau, McLane, Johnson, Torr and Krasker.

13 Yeas

11 Nays

Ordered to Third Reading.

SB 25, reinstating the charter of Geometric Wire Co., Inc. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: We requested information from the person who wanted the charter reinstated, that information was not forthcoming and we felt no reason to pursue the legislation.

Adopted.

SB 70-FN-A, establishing a pilot program to test the application of the office of state planning's GRANIT system and making an appropriation therefor. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This bill authorizes the office of state planning to establish a pilot program using the GRANIT system. GRANIT stands for Geographically Referenced Analysis Information Transfer system. This has been a request of the office of state planning. This \$40,000 will help local communities use this geographically referenced system.

Adopted. Referred to Finance (Rule #24).

SB 139-FN, relative to notifying property owners of zoning changes. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: SB 139 simply permits planning boards, at their discretion, to mail written notices of a public hearing on proposed zoning ordinances or any amendment to every owner of the property which is a subject to or which will be effected by the proposed ordinance. The cost of this would be borne by the planning board. It is simply a bill that basically permits planning boards to mail out in an additional way.

Adopted. Ordered to Third Reading.

SB 183-FN, relative to the time for holding school elections in cities. Inexpedient to Legislate. Senator McLane for the Committee.

Senator Disnard moved to substitute ought to pass for the committee report.

Adopted.

Senator McLane offered a floor amendment.

SENATOR MCLANE: Presently there are four communities that do hold their school elections on either primary or general election day. Those communities are Claremont, Keene, Concord and Derry. I have spoken with the Secretary of State because I was very concerned that the first amendment that we had drawn up did not cover the situation for Concord. Concord has its school elections on the same day as the general elections. They are very anxious to continue to do so. The floor amendment would insure and these are the words

of Secretary of State, Bill Gardner; it does not take away Concord's right to have its school election on general election day. What it does do is serve the Senator from Claremont, who wishes to make a change in when his school elections are had and this bill would allow him to do so. So, I would defer at this time to the Senator from Claremont.

SENATOR DISNARD: I hope you heard Senator McLane say this bill was written by Secretary of State Gardner. It is a permissive bill. Claremont's city council is very disturbed. Only 8% to 9% of the people, for the last two elections, have voted. The Claremont School Board is on record, in their minutes, the Claremont city council is on record of approving this. It is permissive. It is not mandatory in any other community. It certainly is a sterling example of local control. I urge your support.

SENATOR PODLES: Senator McLane, could you tell if this is going to involve the Manchester elections?

SENATOR MCLANE: Absolutely not. This makes it very clear that the only exceptions to this rule are those cities which held a school election in conjunction with the 1988 state general election. They are Keene, Derry, Claremont and Concord. Those are the only cities that the amendment would apply to.

Floor Amendment to SB 183-FN

Amend RSA 44:11 as inserted by section 1 of the bill by replacing it with the following:

44:11 Times.

I. The meeting of the inhabitants of each ward for the election of city and ward officers shall be held on such day as may be fixed by law or by ordinance of the city council but in no event shall it be held in conjunction with a biennial election; and all ward and city officers who are chosen by the people shall hold their respective offices for the term and from the day fixed by law or ordinance, and until others are appointed in their stead. The prohibitions in this section shall not apply to a special election held to fill a vacancy for the office of a city or a ward officer.

II. Notwithstanding paragraph I, those cities which held school elections in conjunction with the 1988 state general election may have their city, ward or school officers elected at the same time as a state primary election.

AMENDED ANALYSIS

This bill permits cities which held school elections in conjunction

with the 1988 state general election to have their city, ward or school officers elected at the same time as a state primary election.
Floor Amendment adopted. Ordered to Third Reading.

SB 193, relative to the removal of assistant secretaries of state. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: I refer you to page 8 of the Senate calendar because the amendment replaces everything in the bill. Basically, all this bill does is combine two separate statutes; 5:23 and 5:2-A, into one single statute. It gives the secretary of state the authority to appoint an assistant secretary of state for a short period of time to handle his duties, in most instances if he's incapacitated or some such thing. It clears up language in the law to make it consistent and it will allow the deputy to provide services only when needed. There is no appropriation in the bill and it won't require any additional expenditure.

AMENDMENT TO SB 193

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the appointment and removal of assistant secretaries of state, and relative to the appointment of a senior deputy secretary of state.

Amend the bill by replacing all after the enacting clause with the following:

1 Senior Deputy Secretary of State. RSA 5:2-a is repealed and reenacted to read as follows:

5:2-a Senior Deputy Secretary of State. The secretary of state may appoint a senior deputy secretary of state who shall serve for not more than 90 days in any one fiscal year. The senior deputy secretary of state appointed under this section shall exercise the duties and functions delegated to him and all duties and functions exercised by him while so acting shall have the same validity and effect as though performed by the secretary of state.

2 Appointment and Removal of Assistant Secretaries of State. RSA 5:23, I is repealed and reenacted to read as follows:

I. The secretary of state may appoint assistant secretaries of state within the limits of the appropriation made for the department of state who shall serve at the pleasure of the secretary of state. The salary of an assistant secretary of state shall be set by the secretary of state in accordance with the provisions of RSA 94:1-4.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill authorizes the secretary of state to appoint a senior deputy secretary of state who shall serve for not more than 90 days in any one fiscal year.

The bill also authorizes the secretary of state to appoint assistant secretaries of state within the limits of the appropriation made for the department of state, and to remove assistant secretaries of state at his pleasure.

Amendment adopted. Ordered to Third Reading.

SB 195-FN-A, establishing a family support network for families caring for children or adult family members with disabilities at home and making an appropriation therefor. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: SB 195 basically sets up a support network for family services, families with disabled people in their household. It basically makes it easier, in many instances possible, for New Hampshire families with a disabled member to care for that person in the home. It's a way of avoiding, in many instances, institutionalization. Under this bill, there will be a network set up of support services which will be able to provide information for referral, respite care, communication with other families, sharing of ideas, parent education and training, counseling, equipment, home alterations and other types of services associated with that. I think of all the testimony we received in public works, I think this was the most emotional hearing that we had. And, the committee feels that this bill is a unique and novel way to address a very serious issue in this state. It will ultimately save money in not having to institutionalize many of these people and yet at the same time it will hold families together. The committee urges your adoption of the bill.

Adopted. Referred to Finance (Rule #24).

Recess.

Out of Recess.

Senator Dupont in the Chair.

SB 100-FN, relative to pari-mutuel racing. Ought to Pass with Amendment. Senator Bartlett for the Committee.

SENATOR BARTLETT: SB 100 deals with the Seabrook track. The original bill called for \$1.14 million. There was testimony before the

Ways and Means committee. And we studied the bill and we reduced the amount of money to approximately \$350,000. The committee recommends ought to pass as amended.

AMENDMENT TO SB 100-FN

Amend the bill by replacing sections 1-3 with the following:

1 Commission on Certain Pari-Mutuel Pools Averaging Less than \$125,000 per Performance. Amend RSA 284:22, IV to read as follows:

IV. At all race tracks at which the pari-mutuel pools during the immediately preceding calendar year averaged less than \$125,000 per performance, the commission on all win, place and show pari-mutuel pools at tracks or race meets at which dog races are conducted for public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools; and the commission on all other pari-mutuel pools at such tracks or race meets shall be uniform throughout the state at the rate of 26 percent of each dollar wagered in such pools, until June 30, 1993. In addition to the above commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee; and the balance of such breakage shall be paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2. Each licensee shall pay the tax provided for in RSA 284:23.

2 Commission on Certain Pari-Mutuel Pools Averaging Less than \$125,000 per Performance, 1993. Amend RSA 284:22, IV to read as follows:

IV. At all race tracks at which the pari-mutual pools during the immediately preceding calendar year averaged less than \$125,000 per performance, the commission on all win, place and show pari-mutual pools at tracks or race meets at which dog races are conducted for public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools; and the commission on all other pari-mutual pools at such tracks or race meets shall be uniform throughout the state at the rate of 25 percent of each dollar wagered in such pools. In addition to the above commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee; and the balance of such breakage shall be paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2. Each licensee shall pay the tax provided for in RSA 284:23.

3 New Paragraph; Commission on Certain Pari-Mutual Pools Averaging More than \$125,000 per Performance. Amend RSA 284:22 by inserting after paragraph IV the following new paragraph:

V. At all race tracks at which the pari-mutuel pools during the immediately preceding calendar year averaged \$125,000 or more per performance, the commission on all win, place and show pari-mutuel pools at tracks or race meets at which dog races are conducted for public exhibition shall be uniform throughout the state at the rate of 20 percent of each dollar wagered in such pools; and the commission on all other pari-mutuel pools at such tracks or race meets shall be uniform throughout the state at the rate of 26 percent of each dollar wagered in such pools, until June 30, 1994, and commencing July 1, 1994, shall be 25 percent of each dollar wagered in such pools. In addition to the above commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage", shall be retained by the licensee; and the balance of such breakage shall be paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2. Each licensee shall pay the tax provided for in RSA 284:23.

Amend the bill by replacing sections 6 and 7 with the following:

6 New Paragraph; Pari-Mutuel Pools Averaging More than \$125,000. Amend RSA 284:23 by inserting after paragraph II-a the following new paragraph:

II-b. At all race tracks at which the pari-mutuel pools during the immediately preceding calendar year averaged \$125,000 or more per performance, each person, association or corporation licensed to conduct a dog race or a dog race meet under this chapter shall pay to the state treasurer a sum equal to 6 percent of the total contributions to all pari-mutuel pools conducted or made at any dog race or dog race meet licensed hereunder as does not exceed \$100,000; 7 percent of so much thereof as exceeds \$100,000 but does not exceed \$200,000; 9 percent of so much thereof as exceeds \$200,000 but does not exceed \$300,000; and 10 percent of all such contributions exceeding \$300,000. In addition to such sums, a licensee shall pay to the state treasurer a sum equal to 5 percent of the total contributions to all such pari-mutuel pools other than win, place and show pari-mutuel pools, until June 30, 1994, and commencing July 1, 1994, shall pay to the state treasurer a sum equal to 4 percent of such total contributions. The amounts so paid to the state treasurer shall be distributed in accordance with the provisions of RSA 284:2.

7 Temporary Allocation of Pari-Mutuel Tax for Pools Averaging Less than \$125,000 per Performance. Amend 1988, 291:5, I to read as follows:

I. At all race tracks at which the pari-mutuel pools during the immediately preceding calendar year averaged less than \$125,000 per performance, until June 30, 1993, in lieu of the 5 percent provision in RSA 284:23, II-a, a sum equal to 5 percent of the total contributions to all pari-mutuel pools other than win, place, and show pari-mutuel pools shall be allocated as follows: (a) 4 percent to the state treasurer for fiscal years 1989 through 1993; and (b) one percent for fiscal years 1989 through 1993, to each licensee to be used for capital expenditures for alterations, additions, replacements, changes, improvements, professional planning, or major repairs to, for, or upon the property owned or leased by any such licensee and used for such dog races or to create a fund for advertising, promotional, and marketing purposes, including reducing the costs of admission, programs, parking, and concessions. A pari-mutuel licensee shall deposit such moneys received under subparagraph (b) in a separate interest-bearing account for each race track.

Amend the bill by replacing section 8 with the following:

8 New Paragraph; Temporary Allocation of Pari-Mutuel Tax for Pools Averaging More than \$125,000 per Performance. Amend 1988, 291:5 by inserting after paragraph I the following new paragraph:

I-a. At all race tracks at which the pari-mutuel pools during the immediately preceding calendar year averaged \$125,000 or more per performance, until June 30, 1994, in lieu of the 5 percent provision in RSA 284:23, II-b, a sum equal to 5 percent of the total contributions to all pari-mutuel pools other than win, place and show pari-mutuel pools, shall be allocated as follows:

(a) 3 percent to the state treasurer for fiscal years 1990 through 1994; and

(b) 2 percent for fiscal years 1990 through 1994, to each licensee to be used for capital expenditures for alterations, additions, replacements, charges, improvements, professional planning, or major repairs to, for, or upon the property owned or leased by any such licensee and used for such dog races or to create a fund for advertising, promotional, and marketing purposes, including reducing the costs of admission, programs, parking, and concessions. A pari-mutuel licensee shall deposit such moneys received under subparagraph (b) in a separate interest-bearing account for each race track. In addition each such licensee shall deposit in such separate interest-

bearing account during calendar years 1990 through 1994, one percent of all win, place, and show pools to be used only for capital improvements.

9 Effective Date.

I. Sections 2 and 5 of this act shall take effect July 1, 1993, at 12:01 a.m.

II. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill distinguishes, for tax purposes, those dog race tracks averaging less than \$125,000 per performance on pari-mutuel pools from these tracks averaging more. At tracks averaging \$125,000 or more per performance, the commission will be 20 percent of each dollar wagered on all win, place, and show pari-mutuel pools and 26 percent on all other pools, until June 30, 1994. Such tracks will also be required to pay to the state treasurer 6 percent on the first \$100,000 in contributions, 7 percent on the second \$100,000, 9 percent on the third \$100,000, and 10 percent on contributions in excess of \$300,000. Until June 30, 1994, an additional 5 percent of the total contribution on pools other than win, place and show shall be paid to the state treasurer and after June 30, 1994, such additional tax will be 4 percent.

Until June 30, 1993, tracks averaging less than \$125,000 per performance shall pay in lieu of the 5 percent tax on pari-mutuels other than win, place, and show, 5 percent to be allocated as follows: (a) 4 percent to the state treasurer; and (b) one percent to the licensee for capital expenditures. Until June 30, 1994, tracks averaging \$125,000 per performance or more shall pay, in lieu of the 5 percent tax on pari-mutuels other than win, place and show, 3 percent to the state treasurer and 2 percent to the licensee for capital expenditures.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

SB 179-FN-A, establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden and making a contingent appropriation for a professional feasibility study. Inexpedient to Legislate. Senator St. Jean for the Committee.

Senator Roberge moved to substitute ought to pass for the committee report.

Adopted.

Senator Roberge offered a floor amendment.

SENATOR ROBERGE: The amendment takes the \$35,000 out of the bill. The bill has no money in it. Originally it called for \$35,000 to be raised by the feasibility committee being matched by an additional \$35,000 from the state. The amendment takes all that money out and any money that is raised for the zoo will be from the private sector. I frankly feel that if this task is to go forward and we have the right kind of committee, they should raise all the money or it shouldn't go forward. So, I urge you to pass the bill. There's no money in it.

SENATOR CURRIER: Senator Roberge, why would you want the state to get into the business of doing the private sector's work in terms of funding a zoological park, aquarium, and botanical garden?

SENATOR ROBERGE: That's just the point, Senator Currier; we aren't funding to do anything. There's no money in the bill. It's just a feasibility study. With Benson's closed there was a great deal of concern about the fact that there was no zoological park or botanical garden or any of those kinds of things. Senator Charbonneau can tell you she has a lot of petitions. There was a lot of offers of money. People were very concerned. So, this is a study and if I may, I'll explain what the bill does.

It sets up two particular committees. One committee is to raise the money; the other committee, working side by side with it, is to study where the zoo should be placed, what kind of exhibits it should have, what kind of plants it should have and these kinds of things. It would be controlled by one chairman to make sure that both of those committees work in sequence with each other. I think that this particular issue is of concern to the citizens of New Hampshire to deserve this kind of study by a businessmen's group with a business-like approach.

Floor Amendment to SB 179-FN-A

AN ACT

establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden.

Amend the bill by replacing all after section 1 with the following:

2 Study Established; Membership.

I. There is established a zoological park committee to determine the feasibility of developing a privately funded and maintained zoological park, aquarium, and botanical garden in New Hampshire. The governor shall appoint 22 public members with appropriate qualifications to serve on the committee. The speaker of the house shall appoint a member of the house of representatives. The senate president shall appoint a member of the senate. All appointments to the committee shall be made within 25 days of the effective date of this act.

II. The governor shall appoint a chairperson to oversee the committee. The chairperson shall call a meeting of the full committee no later than 30 days after passage of this act.

3 Report. The chairperson shall submit a report detailing the findings of the study committee together with recommendations and costs to the governor, the speaker of the house of representatives, and the president of the senate no later than October 1, 1990.

4 Compensation. The members of the committee shall serve without compensation.

5 Administrative Support. The office of the commissioner of the department of administrative services shall provide staff and administrative support as necessary to the zoological park committee established in section 2 of this act.

6 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a zoological park committee comprised of 22 public members appointed by the governor, one house member appointed by the speaker of the house, and one senate member appointed by the president of the senate.

The bill directs the chairperson to make an appropriate report to the governor, the speaker of the house and the president of the senate no later than October 1, 1990.

Floor Amendment adopted. Ordered to Third Reading.

TAKEN FROM THE TABLE

Senator Bond moved to take SB 86 off the table and to be placed on second reading at the present time.

Adopted.

SB 86, prohibiting ski craft on Wilson Pond.

Senator Bond offered a floor amendment.

SENATOR BOND: The purpose of this floor amendment is to correct language which was omitted in the calendar amendment, which we adopted last time. The bill as amended by the floor amendment will prohibit the use for operation of power boats and ski craft on Wilson Lake in the town of Salem.

Floor Amendment to SB 86

Amend the title of the bill by replacing it with the following:

AN ACT

prohibiting power boats and ski craft on Wilson Lake.

Amend the bill by replacing section 1 with the following:

1 New Section; Wilson Lake. Amend RSA 486 by inserting after section 37 the following new section:

486:38 Wilson Lake. The use or operation of power boats and ski craft, as defined in RSA 270:73, V, is prohibited on Wilson Lake in the town of Salem. Any person violating this section shall be guilty of a violation.

AMENDED ANALYSIS

This bill prohibits the use or operation of all power craft on Wilson Pond in the town of Salem and Big Island Pond in the towns of Derry, Atkinson and Hampstead.

Floor Amendment adopted. Ordered to Third Reading.

HOUSE MESSAGE

HOUSE REQUESTS CONCURRENCE

HCR 6, a resolution inviting Chief Justice Brock to address the joint convention on the state of the judiciary.

Adopted.

INTRODUCTION OF HOUSE BILL

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 459 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 459, authorizing the Lamprey solid waste cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill. (Development, Recreation and Environment)

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of the bills ordered to third reading be read a third time by this resolution and that all titles be the same as adopted, and that they be passed at the present time; and that when we adjourn, we adjourn until Thursday, February 16, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Third Reading and Final Passage

SB 19, establishing a joint legislative oversight committee on highway and bridge construction and reconstruction plans.

SB 33-A, relative to construction on the Spaulding turnpike and making an appropriation therefor.

SB 104, relative to land acquisition for the construction of a ramp on Route 3 at the Massachusetts border.

SB 121, establishing the Pittsfield regional solid waste cooperative.

SB 138-FN, establishing a committee to study supplemental education assistance to school districts with assisted housing units.

SB 203-FN, relative to employing minors enrolled in school.

SB 37-FN-A, making supplemental appropriations for area vocational school tuition and transportation, school building aid, catastrophic costs, audit fund, and foster care.

SB 61-FN-A, relative to preserving the old state house and making an appropriation therefor.

SB 77-FN, relative to holiday pay for certain part-time employees.

SB 105-FN-A, making an appropriation for improving electrical service at Weeks state park in Lancaster.

SB 109-FN-A, establishing a pilot reading recovery program and making an appropriation therefor.

SB 134-FN-A, relative to the purchase and maintenance of airports and making an appropriation therefor.

SB 135-FN, relative to student literacy.

SB 154-FN-A, relative to timely distribution of sweepstakes revenues through the foundation aid formula.

SB 168-FN, establishing a division of fire service.

SB 175-FN-A, making an appropriation to the arts development program.

SB 182-FN-A, making appropriations to expand the nursing programs at the New Hampshire vocational-technical college-Claremont.

SB 111, relative to the operation of ski craft.

SB 64-FN, relative to asbestos management penalties.

SB 66-FN, relative to regulation of transporters of solid waste.

SB 163-FN, relative to production capacity of certain small power production facilities.

SB 110, relative to joint and several liability and to pollution liability.

SB 112, establishing a study committee to examine corporal punishment in and the regulation of child care agencies and schools.

SB 136-FN, prohibiting abortions performed on certain minors without parental consent.

SB 139-FN, relative to notifying property owners of zoning changes.

SB 183-FN, relative to the time for holding school elections in cities.

SB 193, relative to the appointment and removal of assistant secretaries of state, and relative to the appointment of a senior deputy secretary of state.

SB 100-FN, relative to pari-mutuel racing.

SB 179-FN-A, establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden.

SB 86, prohibiting power boats and ski craft on Wilson Lake.

HCR 6, a resolution inviting Chief Justice Brock to address the joint convention on the state of the judiciary.

Senator Freese moved to adjourn.

Adopted.

Adjournment.

Thursday, February 16, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator St. Jean was excused for the day.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we look to you for comfort and advice as we meet the challenge of each new day! May each and every one of you - have a restful and invigorating recess! Ready to take up the cudgels as they come!

Amen

Senator Charbonneau led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 10 through 316 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 10, relative to legalizing the Conway Village Fire District meeting of March 30, 1987, and to supervisors of the checklist for the Conway annual town meeting. (Public Affairs)

HB 14, relative to legalizing town meetings. (Public Affairs)

HB 15, repealing certain laws relative to measuring wood. (Development, Recreation and Environment)

HB 16, relative to advertising potatoes. (Development, Recreation and Environment)

HB 18, decriminalizing adultery. (Judiciary)

HB 27, prohibiting hunting in a specified portion of the town of Bow with any firearm other than a shotgun, muzzle loading rifle, or bow and arrow. (Development, Recreation and Environment)

HB 41, clarifying the authority of municipalities to form districts for the purpose of hiring municipal prosecutors. (Executive Departments)

HB 42, relative to actuarial review of rate filings. (Insurance)

HB 43, transferring the authority to regulate professional bondsmen from the insurance commissioner to the director of the office of securities regulation. (Insurance)

HB 62-FN, adding administrative fines to the laws relative to auctioning and shipping livestock. (Development, Recreation and Environment)

HB 63-FN, relative to equine infectious anemia. (Development, Recreation and Environment)

HB 65-FN, adding administrative fines to certain provisions of the agriculture laws. (Development, Recreation and Environment)

HB 71, relative to the department of education. (Education)

HB 74, extending the time for the filing of a report by the municipal charter study committee. (Executive Departments)

HB 99-FN, relative to establishing a uniform fine schedule for fish and game law violations. (Development, Recreation and Environment)

HB 115-FN, reducing to a violation the misdemeanor offense of driving after revocation or suspension when it is a first offense and unrelated to DWI or reckless driving. (Transportation)

HB 122-FN, relative to concession contracts at certain state facilities. (Development, Recreation and Environment)

HB 142-FN, relative to liability of expenses for the support and necessities of minors. (Judiciary)

HB 144-FN-A, relative to minor mothers and their infants and making an appropriation therefor. (Public Institutions, Health and Human Services)

HB 161, extending the illiteracy and dropout prevention legislative study committee. (Education)

HB 178-FN, relative to continuing the study committee reviewing the liquor laws. (Ways and Means)

HB 29, relative to liquor laws. (Ways and Means)

HB 37, relative to the taking of raccoons. (Development, Recreation and Environment)

HB 38, increasing the legal length of lobster; establishing a lobster management program and creating an advisory committee. (Development, Recreation and Environment)

HB 45, to increase the age limit relative to the motor vehicle child restraint requirement. (Transportation)

HB 59, changing the name of the New Hampshire vocational-technical college education system. (Education)

HB 125-FN, relative to securities registration statements and rule-making by the director of the office of securities regulation. (Insurance)

HB 134-FN, relative to the deaf and hard of hearing. (Public Institutions, Health and Human Services)

HB 145-FN, relative to children and youth services. (Public Institutions, Health and Human Services)

HB 160-FN, to repeal the state recreational fund. (Development, Recreation and Environment)

HB 172-FN, relative to distribution of sweepstakes revenue. (Ways and Means)

HB 182-FN, reclassifying certain highways in the towns of Carroll and Belmont. (Transportation)

HB 203, regarding copying costs of public documents. (Judiciary)

HB 205, relative to continuing care communities. (Public Institutions, Health and Human Services)

HB 316, relative to notice to abutters. (Transportation)

SUSPENSION OF THE RULES

Senator Bond moved to suspend the rules of the Senate to allow for a committee report without a public hearing and proper notice in the calendar on HB 459, authorizing the Lamprey solid waste cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill.

SENATOR BOND: On Tuesday, the House sent to us HB 459, authorizing the Lamprey's Solid Waste Cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill. That bill was intended to come to us with an effective date of upon passage. This bill does not obligate the State of New Hampshire, either financially or in any other way. It is simply clarification of language for the cooperative and is necessary for them to have in their possession prior to town meeting the second week in March. I would like to move that HB 459 be ought to pass with amendment.

Adopted.

HB 459, authorizing the Lamprey solid waste cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill. Ought to Pass. Senator Bond for the Committee.

Senator Bond offered a floor amendment.

SENATOR BOND: This amendment changes the effective date of this bill from 60 days to upon passage.

AMENDMENT TO HB 459

Amend the bill by replacing section 3 of the bill with the following:

3 Effective Date. This bill shall take effect upon its passage.

Floor Amendment adopted. Ordered to Third Reading.

SUSPENSION OF RULES

Senator Bond moved to suspend the rules of the Senate to place HB 459 on third reading and final passage at the present time.

Adopted.

THIRD READING AND FINAL PASSAGE

HB 459, authorizing the Lamprey solid waste cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill.

Adopted.

NOTICE OF RECONSIDERATION

Senator Hough served notice of reconsideration on SB 37-FN-A, making supplemental appropriations for area vocational school tuition and transportation, school building aid, catastrophic costs, audit fund, and foster care.

TAKEN FROM THE TABLE

Senator Delahunty moved to take SB 65, relative to mental health insurance benefits off the table and place it on second reading at the present time.

Adopted.

Senator Delahunty offered a floor amendment.

SENATOR DELAHUNTY: I would like to move that the floor amendment be adopted. All the floor amendment does is establish a committee to study mental health benefits. It's a matter that deserves the study and it is a request by the Governor to approach it in this manner.

Floor Amendment to SB 65-FN

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a committee to study mental health
insurance benefits.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. The general court determines that a study of the mental health insurance benefits under RSA 415:18-a, 419:5-a and 420:5-a is necessary. Therefore, the general court hereby establishes a committee to study such benefits. The membership of the committee shall be as follows:

I. Two members of the senate, appointed by the president of the senate.

II. Two members of the house of representatives, appointed by the speaker of the house.

III. The insurance commissioner or his designee.

IV. The director of the division of mental health and developmental services, department of health and human services or his designee.

V. Four members appointed by the governor, one of whom shall represent the governor; one shall represent the business industry, one shall represent a health service corporation and one shall represent mental health providers.

2 Appointments. The appointment of the members listed in section 1 of this act shall be made within 60 days of the effective date of this act.

3 Chairman; Meetings. The committee shall elect a chairman from among its members. The committee shall meet at such times as the chairman shall designate.

4 Duties. The committee shall study the mental health insurance benefits as provided under RSA 415:18-a, 419:5-a and 420:5-a.

5 Report. The committee shall report its findings, together with any proposed legislation, to the governor; the speaker of the house of representatives, and the president of the senate, no later than December 1, 1989.

6 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a study committee to study the mental health insurance benefits provided under RSA 415:18-a, 419:5-a and 420:5-a.

The bill requires the committee to submit a report with its findings and recommendations to the governor, president of the senate, and the speaker of the house, no later than December 1, 1989.

Floor Amendment adopted. Ordered to Third Reading.

COMMITTEE REPORTS

SB 67-FN, relative to regulation of excavation of sand, gravel, and construction aggregate. Ought to Pass with Amendment. Senator Torr for the Committee.

SENATOR TORR: SB 67, as amended, makes many changes to laws governing the local regulation of excavation. The bill defines excavation sites. All excavation sites will be subject to operational and reclamation standards. The bill provides for the addressing of abandoned sites and clarifies voluntary pit agreements for highway construction and makes it time specific for reclamation and incremental reclamation to occur. It regulates stationary manufacturing plant operation and reclamation, expanse of protection of our aquifers. It provides for an inventory of excavation sites in the State of New Hampshire for master plan use and it provides for greater control of excavation by local governments.

AMENDMENT TO SB 67-FN

Amend RSA 155-E:2, I as inserted by section 3 of the bill by replacing it with the following:

I. Existing Excavations. The owner of an excavation which lawfully existed and was in use on or before August 24, 1979, may continue such existing excavation on the excavation site without a permit, subject to the following:

Amend RSA 155-E:2, I(b) as inserted by section 3 of the bill by replacing it with the following:

(b) Such an excavation site may not be expanded, without a permit under this chapter, beyond the limits of the area which, on August 24, 1979, was contiguous to, and in common ownership with, the excavation site as of that date, as modified by the limitations of RSA 155-E:4-a, I, II, and III.

Amend RSA 155-E:2, I(d) as inserted by section 3 of the bill by replacing it with the following:

(d) The owners or operators of any existing excavation site for which no permit has been obtained under this chapter shall file a report with the local regulator within one year after receiving written notice of this requirement from the regulator. The report shall include:

Amend RSA 155-E:2, I as inserted by section 3 of the bill by inserting after subparagraph (d) the following new subparagraph:

(e) The exemption from local zoning or site location regulations as stated in subparagraph (a) shall include the quarrying or crushing of bedrock for the production of construction aggregate; provided, however, that no owner shall, after the effective date of this subparagraph, permit any such quarrying or crushing of bedrock to occur for the first time on any excavation site without first obtaining a permit therefor under this chapter.

Amend the introductory paragraph of RSA 155-E:2, II as inserted by section 3 of the bill by replacing it with the following:

II. Abandoned Excavations. The permit and zoning exemptions under RSA 155-E:2, I shall not apply to any abandoned excavation, as defined in subparagraph (a).

Amend RSA 155-E:2, II(a) as inserted by section 3 of the bill by replacing it with the following:

(a) For purposes of this section, any excavation, whether subject to a permit under this chapter or not, for which the affected area has not yet been brought into complete compliance with the reclamation standards of RSA 155-E:5 shall be deemed "abandoned" if excavation occurred on the site any time subsequent to August 24, 1979, and:

Amend RSA 155-E:2, III as inserted by section 3 of the bill by replacing it with the following:

III. Stationary Manufacturing Plants. No permit or further permit shall be required under this chapter for excavation from an area contiguous to, or from contiguous land in common ownership with, stationary manufacturing and processing plants in operation or lawfully permitted for operation as of the effective date of this section, which use earth obtained from such areas. Such excavation shall be performed in compliance with the operational standards of RSA 155-E:4-a and the reclamation standards of RSA 155-E:5 and 155-E:5-a, and may be expanded, without a permit under this chapter to any contiguous lands which are in common ownership with the site of the plant, on the effective date of this section, as limited by 155-E:4-a, I, II, and III.

Amend RSA 155-E:2, IV(b) as inserted by section 3 of the bill by replacing it with the following:

(b) Such excavation shall not be exempt from the operational and reclamation standards of RSA 155-E:4-a, 155-E:5 and 155-E:5-a, or from local zoning or other applicable ordinances, unless such an exemption is granted pursuant to subparagraph (c).

Amend the bill by replacing section 7 with the following:

7 Prohibited Projects. RSA 155-E:4, III is repealed and reenacted to read as follows:

III. When the excavation is not permitted by zoning or other applicable ordinance, provided, however, that in municipalities which have commercial earth resources on unimproved land within their boundaries, and which do not provide for reasonable opportunities for excavation of those resources, or in municipalities which have zoning ordinances which do not address the subject of excavations, excavation shall be deemed to be a use allowed by special exception as provided in RSA 674:33, IV, and the zoning board of adjustment shall grant such a special exception upon a finding that:

(a) The excavation will not have an unreasonable adverse effect on abutting property or the character of the neighborhood;

(b) The excavation will not have an unreasonable adverse effect on highways or the use thereof; and

(c) The excavation will not create an unreasonable nuisance or health or safety hazards.

Whenever such exception is granted, a permit may be issued pursuant to RSA 155-E:8.

Amend RSA 155-E:4, VII as inserted by section 8 of the bill by replacing it with the following:

VII. When the excavation is planned beneath or adjacent to inland surface waters in such a manner that a permit is required from the department of environmental services and other state or federal agencies with jurisdiction over the premises; but the regulator may approve the application when all necessary permits have been obtained.

Amend RSA 155-E:4-a, V as inserted by section 9 of the bill by replacing it with the following:

V. No fuels, lubricants, or other toxic or polluting materials shall be stored on-site unless in compliance with state laws or rules pertaining to such materials.

Amend RSA 155-E:4-a, VII as inserted by section 9 of the bill by replacing it with the following:

VII. Prior to the removal of topsoil or other material from a new excavation area, the excavator shall file a reclamation bond or other security as prescribed by the regulator, sufficient to secure the reclamation of the site.

Amend RSA 155-E:5, IV as inserted by section 10 of the bill by replacing it with the following:

IV. The elimination of any standing bodies of water created in the excavation project as may constitute a hazard to health and safety.

Amend RSA 155-E:5-a as inserted by section 11 of the bill by replacing it with the following:

155-E:5-a Incremental Reclamation. Any excavated area of 5 contiguous acres or more, which either is depleted of commercial earth materials, excluding bedrock, or from which no earth materials have been removed for a 2-year period, shall be reclaimed in accordance with RSA 155-E:5, within 12 months following such depletion or 2-year non-use, regardless of whether other excavation is occurring on adjacent land in contiguous ownership.

Amend RSA 155-E:5-c as inserted by section 12 of the bill by deleting it.

Amend the bill by replacing section 14 with the following:

14 Enforcement. RSA 155-E:10, II is repealed and reenacted to read as follows:

II. Fines, penalties, and remedies for violations of this chapter shall be the same as for violations of RSA title LX, as stated in RSA 676:15 and 676:17.

Amend RSA 155-E:11, II as inserted by section 15 of the bill by replacing it with the following:

II. Such regulations may include reasonable provisions for the protection of water resources, consistent with the municipality's local water resources management and protection plan developed under RSA 674:2, VIII. If such regulations prohibit excavations below a stated height above the water table, the regulations shall also contain a procedure whereby an exception to such prohibition shall be granted if the applicant demonstrates that such excavation will not adversely affect water quality, provided, however, that written notice of such exception shall be recorded in the registry of deeds, and one copy filed with the division of water supply and pollution control, department of environmental services.

Amend the bill by replacing section 16 with the following:

16 New Paragraph; Master Plan. Amend RSA 674:2, by inserting after paragraph VIII the following new paragraph:

VIII-a. A construction materials section which summarizes known sources of construction materials which are available for future construction materials needs, including, at a minimum, the location and estimated extent of excavations which have been granted permits under RSA 155-E, as well as reports filed pursuant to RSA 155-E:2, I(d) with respect to non-permitted excavations.

AMENDED ANALYSIS

This bill makes numerous amendments to the laws governing local regulation of excavation.

It defines the term "excavation site", details exemptions from permit requirements, and replaces the term "restoration" with "reclamation." The bill also details types of excavation projects for which permits cannot be granted.

The bill establishes operational and reclamation standards for excavating, and provides a procedure for regulators to grant exceptions from such standards. It also details permissible local regulations, when excavation is not permitted by a local ordinance a permit may not be granted, except that in municipalities which do not provide reasonable opportunities for excavations, excavations shall be deemed a use allowed by special exception if the zoning board makes certain findings.

The bill adds a construction materials section to the contents of a master plan.

Amendment adopted.

Senator Torr offered a floor amendment.

SENATOR TORR: The floor amendment would provide for the fact that if a local ordinance was more restrictive than the State law, then the local ordinance would prevail. I would urge your support.

Floor amendment failed.

Senators Torr, Magee and Charbonneau wished to be recorded as in favor of the floor amendment.

Question: Ought to Pass with Committee Amendment.

Adopted. Ordered to Third Reading.

SB 150, relative to lapsing funds appropriated for a completed portion of Route 101 to the highway fund. Ought to Pass with Amendment. Senator Torr for the Committee.

SENATOR TORR: SB 150 really is a housekeeping measure for the Department of Transportation. They first started to deal with the Candia-Raymond bypass, to clean up the funds that were left available there. What it ends up doing is transferring funds in programs that are now 90-10 to programs that are now 75-25 and what that results in is a total expenditure of highway funds of four million dollars.

AMENDMENT TO SB 150

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the department of transportation federal aid
highway appropriation accounts and making an
appropriation therefor.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose. The intent of this legislation is to lapse previously appropriated but unused nonlapsing state funds, matching federal funds and related bond authorization. The bill also adjusts state and federal aid highway appropriation accounts and provides the additional state matching funds necessary to fund the federal apportionment through June 30, 1989.

2 Candia-Raymond Project. Amend 1981, 316:1 - 316:3 to read as follows:

316:1 Candia-Raymond Priority Primary Discretionary Funds Project. There is hereby appropriated the sum of [\$44,500,000] **\$26,452,792.76** to be expended in accordance with the provisions of section 104-C of the Surface Transportation Assistance Act of 1978

for the construction of the so-called Raymond bypass on NH route 101 in the towns of Raymond and Candia. Of the total amount hereby appropriated, the sum of [\$33,375,000] **\$19,839,594.57** shall be made available from federal-aid highway funds (priority primary discretionary funds) apportioned to the state for this purpose, and the sum of [\$11,125,000] **\$6,500,000** shall be made available from a state bond issue authorized in section 3. **In addition, there is hereby appropriated to the department of transportation the sum of \$113,198.19 which shall be a charge against the highway fund.**

316:2 Availability of Appropriations. The sums appropriated in section 1 shall become available for expenditure when the department of public works and highways has been notified by the United States Department of Transportation that all or a portion of the federal-aid funds have been apportioned to the state and the total expenditure and commitment of funds on the project shall not at any time exceed the total amount apportioned by the United States Department of Transportation plus the required state matching funds for the total amount so apportioned. The sums appropriated in section 1 shall be continuing appropriations and shall not lapse **until all contingencies have been resolved.**

316:3 Bond Issue Authorized. To provide funds for the state matching funds provided in section 1 the state treasurer is authorized to borrow upon the credit of the state the sum of [\$11,125,000] **\$6,500,000** and for that purpose may issue bonds and notes in the name of and on the state of New Hampshire in accordance with the provisions of RSA 6-A. The interest and principal due on the bonds and notes issued in this section shall be a charge upon the highway fund.

3 Appropriation. The sum of \$886,802 is appropriated to the department of transportation for the fiscal year ending June 30, 1989. This appropriation is in addition to any other appropriation for the department of transportation. This appropriation is for the purpose of funding prior non-federal participating expenditures and establishing a new line within the Candia-Raymond organization account for anticipated additional nonparticipating and litigation expenses in the amount of \$225,000 of the above sum. This appropriation shall be a charge against the highway fund and shall lapse when all litigation is resolved. These sums shall not be transferred or used for any other purpose.

4 Repeal. 1985, 361:1, relative to the Laconia bypass in the town of Gilford, is repealed.

5 Appropriation to Adjust Federal Apportionment for Fiscal Year 1985 through Fiscal Year 1989. There is appropriated the sum of \$3,310,275.07 to the department of transportation for fiscal year 1989, for the purpose of providing the state matching requirements

upon adjusting the federal aid highway appropriation accounts in fiscal year 1989. This shall be a nonlapsing appropriation. The commissioner of the department of administrative services is directed to issue a warrant to implement the following:

Organization		
PAU and TITLE	Account	Amount
I. State matching increase:		
(a) 04-01-03-09-02 Primary	3054	3,810,484.23
(b) 04-01-03-09-02 Primary	3236	700,775.33
(c) 04-01-03-09-011 Interstate-4R	3243	34,155.24
Total		4,545,414.80
II. State matching decrease:		
(a) 04-01-03-09-03 Secondary	3055	718,001.79
(b) 04-01-03-09-03 Secondary	3237	17,445.99
(c) 04-01-03-09-04 Urban D	3058	108,189.79
(d) 04-01-03-09-11 Interstate-4R	3231	391,502.16
Total		1,235,139.73
III. Estimated Source of Funds:		
Highway fund	0000	3,310,275.07

6 Implementation. To carry out the provisions of section 5 of this act, the commissioner of the department of transportation may accept such additional federal funds to provide a matching federal share and such federal funds are hereby appropriated. Further, prior to June 30, 1989, the commissioner of the department of transportation shall provide to the commissioner of the department of administrative services the combined applicable estimated federal fund adjustments associated with prior appropriations and the allocation of the additional estimated federal funds between the respective federal aid appropriation accounts. The commissioner of the department of administrative services shall process the appropriate adjustments in fiscal year 1989.

7 Transfers Authorized. The commissioner of the department of administrative services is also directed to transfer on July 1, 1989, the balances in the following appropriation codes to enable the department of transportation to clear all old accounts off the appropriation statements:

Organization Transfer From		Organization Transfer To	
Code	Title	Code	Title
3024	Primary	3054	Primary
3026	Secondary	3055	Secondary
3027	Urban	3058	Urban D
3036	State	3037	State Aid
	Reconstruction		Construction

Organization Transfer From Code Title	Organization Transfer To Code Title
3040 State Aid Bridge	3041 Town Road Bridge
3056 Fed Aid Urban C	3058 Urban D
3057 Fed Aid Urban D	3054 Primary
3061 Trans. Qtr. Hwy.	3054 Primary
3062 Trans. Off Sys.	3073 RR Grade
	RR Cross
3063 Off-System	3073 RR Grade
	RR Crossing
3074 Spot Improvement	3072 Roadside
3075 Safer Off System	3078 Bridge Replacement
3076 Pavement Marking	3078 Bridge Replacement
3079 Economic Growth	3054 Primary
3095 Bikeway Demon.	3054 Primary
3231 Interstate RRR	3023 Interstate
3232 Interstate 4R	3023 Interstate
3543 Primary RRR	3054 Primary
3551 Secondary RRR	3055 Secondary
3951 Bicycle Program	3054 Primary

8 Effective Date.

I. Section 7 of this act shall take effect July 1, 1989.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill lapses previously appropriated but unused nonlapsing state funds matching federal funds and related bond authorizations.

The bill also adjusts state and federal aid highway appropriation accounts to provide the additional state matching funds necessary to fund federal apportionment through June 30, 1989.

Amendment adopted. Ordered to Third Reading.

SB 201-A, relative to construction of a New Hampshire Route 10 bypass and making an appropriation therefor. Inexpedient to Legislate. Senator Nelson for the Committee.

SENATOR NELSON: At this time I would like to have SB 201 laid on the table.

Adopted.

SB 57-FN, relative to mandatory recycling for state agencies. Ought to Pass with Amendment. Senator McLane for the Committee.

SENATOR MCLANE: SB 57 requires that state agencies recycle glass, aluminum, plastic, etc.; including paper which is the amendment. The program will be administered by the plant and property management of the Department of Administrative Services. I think it is important that the State set a good example and this would start us on our way.

AMENDMENT TO SB 57-FN

AN ACT

relative to mandatory waste reduction and recycling
for state agencies.

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose. The general court recognizes that the wise use of society's natural resources includes the resource recovery techniques of recycling and reuse. The people of the state of New Hampshire generate approximately 2,800 tons per day and one million tons per year of solid waste, most of which is buried in landfills. Reuse and recycling reduces solid waste and litter, conserves natural resources, saves energy, saves waste disposal costs, reduces pollution, and promotes awareness of prudent resource management. The general court recognizes that it is important for the state to set the example in this critical area and seeks to accomplish this goal by requiring, when feasible, the agencies of the state to improve solid waste management by reuse and recycling.

2 New Subparagraph; Application of Receipts. Amend RSA 6:12, I by inserting after subparagraph (aa) the following new subparagraph:

(bb) The money received under RSA 21-I:60, which shall be credited to the special recycling fund established under RSA 21-I:60.

3 New Subdivision; Waste Reduction and Recycling Program. Amend RSA 21-I by inserting after section 58 the following new subdivision:

Waste Reduction and Recycling Program

21-I:59 Definition. In this subdivision "agency" means any state department, commission, board, institution, bureau, office or other entity, by whatever name called, established in the state constitution, statutes, session laws, or executive orders, but not including those within the legislative and judicial branches of state government.

21-I:60 Statewide Recycling Program for State Agencies; Fund. The commissioner shall establish a mandatory waste reduction and

recycling program which shall include a separate recycling program for each agency on or before November 30, 1989. The commissioner shall also develop guidelines for agencies to follow in their proposed individual plans. A special fund shall be established within the office of the state treasurer, to receive recycling revenue, which shall be utilized for purposes of this program. Agencies shall forward all recycling revenue to the state treasurer on a monthly basis. The commissioner may use moneys in the fund for the purposes of recycling and solid waste reduction.

21-I:61 Individual Agency Plans. Each agency shall submit a proposed written waste reduction and recycling plan to the commissioner within 6 months of the effective date of this section. Within the plan, the agency shall identify and propose changes to any agency rules, policies, or practices which discourage solid waste reduction and recycling, or unnecessarily favor the use of virgin material instead of recycled material. Each agency shall also bring to the commissioner's attention any law which discourages such reduction and recycling, with the agency's recommended changes.

21-I:62 Commissioner to Provide Assistance. The commissioner shall provide consultation and technical assistance to each agency, in consultation with the department of environmental services.

21-I:63 Implementation of Agency Plans. Each agency shall implement its plan as soon as practicable, but in no event later than December 31, 1989. In addition, each agency shall review its bid specifications for materials purchased and shall revise any such specifications that unnecessarily prohibit the use of recycled products or which require the use of a new or virgin product.

21-I:64 Rulemaking. The commissioner shall adopt rules, under RSA 541-A, relative to:

I. What constitutes recycled or recyclable materials. Recyclable materials shall include, but not be limited to, separated clear and colored glass, aluminum, ferrous and non-ferrous metals, plastics, corrugated cardboard, batteries, tires, and all paper.

II. Suggested standards for agencies to use in developing their proposed individual waste reduction and recycling plans.

21-I:65 Recycled Materials Purchase Plan.

I. The department of administrative services, as the state's procurement agency, shall conduct its procurement operations so as to incorporate recycled and recyclable products into its purchasing decisions. Such products shall be made available to agencies whenever feasible, acceptable, and appropriate.

II. The department of administrative services shall promote awareness of and prevent discrimination against products which contain recycled materials in the following manner:

(a) The department shall include an appropriate bid specifications line asking bidders what percentage of the materials in their products are recycled and shall note that the state is seeking to increase procurement of products containing such materials.

(b) As soon as practicable, but in no event later than December 31, 1989, the department shall review bid specifications for materials purchased and revise any such specifications that unnecessarily prohibit the use of recycled products or that require the use of a new or virgin product.

III. The department shall strive to achieve goals for the increased purchase of papers containing recycled fiber content with a primary goal of a minimum of 25 percent of paper purchases being recycled paper by 1992.

IV. The department shall, to the greatest extent possible, avoid the purchase of specified materials or products which contribute to global environmental degradation and shall not purchase such materials when reasonable substitute materials are available.

4 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

SB 156-FN, relative to out-of-state solid waste. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: I refer you to page 17 of the calendar. The amendment replaces the bill. The bill basically enacts a scheduled phase-in waste reduction through recycling or other methods. The phase-in applies to New Hampshire's lime landfills that have a leachate collection system and it protects, for up to three years, cities and towns who are presently under contract with these facilities. The second part of the bill allows for the reduction through recycling, composting, incinerating and other methods or any combination of such methods, and it does not require the same refuse to be reduced more than once. The basic criteria that are set are 20% reduction through recycling by January 1, 1991 and by 30% by 1992. The committee urges your adoption of the amendment in the committee report.

SENATOR DISNARD: Senator, could this be understood to include incinerated out-of-state trash being brought in to be incinerated within the state?

SENATOR BASS: Yes.

SENATOR DUPONT: Senator, as I read the bill, I thought it specifically applied to landfills and only to landfills.

SENATOR BASS: Senator Dupont, it has an exception in it that allows for the incineration of solid waste as an applicable means of reducing the solid waste flow by the 20% or 30% as is outlined in the bill. And the reason for this is we didn't want to get into a situation where an incinerator was having to reduce its ash by 20% or 30% after incineration.

SENATOR DUPONT: So it would apply to what is going into the landfill rather than what is going into an incinerator.

SENATOR BASS: That's correct.

AMENDMENT TO SB 156-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to refuse disposal.

Amend the bill by replacing section 1 with the following:

1 New Section; Refuse Recycling or Reduction. Amend RSA 149-M by inserting after section 21 the following new section:

149-M:22 Refuse Recycling or Reduction.

I. Beginning January 1, 1991, no person shall dispose of refuse at any private or public solid waste landfill facility having a lining and a leachate collection system, unless all recyclable materials have been removed from such refuse or such refuse has been otherwise reduced in weight by at least 20 percent. Beginning January 1, 1992, no person shall dispose of refuse at any private or public solid waste landfill facility having a lining and a leachate collection system, unless all recyclable materials have been removed from such refuse or such refuse has been otherwise reduced in weight by at least 30 percent. Prior to October 1, 1992, the provisions of this paragraph shall not apply to continuing disposal of refuse in such a facility occurring as of the effective date of this section pursuant to a written agreement with such facility's permit holder; or any town disposing of refuse at such a facility within its own borders.

II. Persons who transport refuse to a private or public solid waste landfill facility, which is not lined and does not have a leachate collection system, may be required by the town in which such facility is located to pay an additional tipping fee per ton, provided that for refuse which is recycled or reduced pursuant to paragraph I, the additional tipping fee shall be reduced by 50 percent per ton, and provided further that this paragraph shall not apply to any town

disposing of refuse at a solid waste facility within its own borders. Additional tipping fees established and paid under this paragraph shall be retained in a closure fund and applied against the town's costs for a plan for closure or for closure of the facility when it occurs.

III. Weight reduction under this section may include removal of recyclable materials, composting, incineration, any other method approved by the division of waste management, or any combination of such methods. Refuse or any solid waste resulting from such reduction methods shall not be subject to further weight reduction pursuant to this section.

IV. If the division of waste management finds that an emergency exists requiring immediate action to protect the public health, it may issue an order suspending all or any part of this section during such emergency.

Amend RSA 149-M:1, XVII-b as inserted by section 2 of the bill by replacing it with the following:

XVII-b. "Recyclable materials" shall include but not be limited to clear and colored glass, plastics, corrugated cardboard, paper, newspaper, aluminum, ferrous metals, non-ferrous metals, all hazardous materials, batteries, and tires.

AMENDED ANALYSIS

This bill requires that after January 1, 1991, for refuse disposed of at a landfill facility with a lining and leachate collection system, all recyclable materials must be removed from such waste or the waste must be reduced in weight by at least 20 percent.

On January 1, 1992, the percentage is increased to 30 percent. These requirements will apply to towns disposing of refuse within their borders after October 1, 1992.

The town in which a waste disposal facility is located may assess an additional tipping fee for waste disposed of at a facility which is not lined and does not have a leachate collection system. The additional tipping fee does not apply to towns disposing of waste within their borders. These fees are to be deposited into a closure fund.

Amendment adopted. Ordered to Third Reading.

SB 38-FN, relative to fireworks. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: I think the legislature has been burned once too often by fireworks bills. We were assured that the bill passed in 1988 would take care of the problems. Senator Preston,

the sponsor of SB 38, is keenly aware of the problems that burst upon the state last summer. SB 38 will continue to permit municipalities and other organizations to put on their Independence Days and other displays following the guidelines of the state fire marshal. SB 38 will prohibit class C fireworks from being sold to individuals and also the possession of class C fireworks by individuals. SB 38 will not put any manufacturers of fireworks out of business. They will continue to sell to municipalities and organizations in New Hampshire and to any out-of-state buyers. This bill has the unequivocal support of the New Hampshire firefighters. Needless to say, it is opposed by the lobbyists for the special interests. I urge you to support the firefighters and emergency medical technicians who are called upon to put out the fires caused by careless individuals and to treat those injured by fireworks. Permit me a personal note. I grew up with a kid in my neighborhood whose eyesight was ruined by a firecracker that exploded in his face. Don't let that happen to a kid in your neighborhood. Vote for SB 38.

AMENDMENT TO SB 38-FN

Amend RSA 160-B:2 as inserted by section 1 of the bill by replacing it with the following:

160-B:2 Sale to and Possession by Individuals Prohibited; Permits.

I. No person, firm, copartnership, or corporation shall offer for sale, expose for sale, sell at retail, keep with intent to sell at retail, or use or explode any fireworks, except as provided in paragraphs III-V.

II. It shall be illegal for any individual to purchase, possess or display any fireworks, except as provided in paragraphs III-V.

III. The state fire marshal may adopt reasonable rules pursuant to RSA 541-A for the granting of permits for supervised displays of fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals. Such permits may be granted upon application to the state fire marshal and after approval by the local police and fire authorities of the community in which the display is proposed to be held and the filing of a bond by the permit applicant. Every such display shall be handled by a competent operator, licensed or certificated as to competency by the state fire marshal. Every such display shall be of such composition and character and shall be located, discharged, or fired so as, in the opinion of the local fire chief and police chief, after proper inspection, not to be hazardous to any person or property. After such privileges have been granted, sale, possession, use and distribution of fireworks for such displays shall be lawful for that purpose only. No permit granted under this section shall be transferable.

IV. Before any permit for a pyrotechnic display shall be issued, the person, firm, or corporation making application for the permit shall furnish proof of financial responsibility to satisfy claims for damages to property or personal injuries arising out of any act or omission on the part of such person, firm, or corporation or any of their agents or employees, in such amount, character, and form as the state fire marshal determines to be necessary for the protection of the public.

V. The state fire marshal shall adopt rules, pursuant to RSA 541-A, relative to delegating his authority under this section to the local municipal authorities or to the director of the division of state police.

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill defines fireworks and describes the devices which fit within the categories of "common" or "special" fireworks. The bill prohibits the sale, offering for sale, or exposing for sale of fireworks to individuals. The bill also prohibits the purchase, possession or display of any fireworks by individual persons.

The bill regulates the granting of permits to municipalities, organizations or groups for supervised display of fireworks. The state fire marshal is responsible for adopting rules governing the granting of permits. Permits must be approved by the local police and fire authorities of the community where the display is proposed to be held.

The bill excepts certain uses of fireworks and certain devices from the fireworks laws. It establishes penalties for violations of the fireworks laws.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Dupont in the Chair.

SB 41, repealing an exemption from real estate licensing for sale of manufactured housing by manufactured housing park owners. Interim Study. Senator Johnson for the Committee.

SENATOR JOHNSON: SB 41 would simply have required manufactured housing park owners, who engage in the sale of real estate, to have a real estate license. Some of you may remember that in 1982 when manufactured housing, otherwise often called mobile homes, was changed from personal property to real property the park own-

ers were exempted. There were numerous reports in my district that indicated that park owners had subjected the elderly people in their parks to various abuses and I was asked to sponsor this legislation to bring those park owners under the jurisdiction of the real estate commission by virtue of a real estate license. At the hearing, I think I probably took too much for granted. We did not make the case as conclusively as I had thought that we would. Arguments were offered that RSA 205A would provide the appropriate relief for those tenants who were subjected to what they considered to be abuse and intimidation and maybe that's true but personally I doubt it. However, in order to give that argument an opportunity to be explored, the committee recommended interim study on this bill.

Adopted.

SB 42, relative to personnel appeals board. Interim Study. Senator Freese for the Committee.

SENATOR FREESE: SB 42 was a bill that was proposed by myself and Representative Ward who are a member of the Personnel Task Force. Our responsibility has been to update the classification in the unclassified system of the personnel working for the State of New Hampshire. We further felt that the appeals board needed updating. There's a perception at the moment that it is too closely allied to the personnel department. It should be a separate non-biased board and it also provided for a part time counsel for the board and also a hearings officer. In addition, we wanted to streamline the appeals process by eliminating some of the things that are appealable today. And that is where we ran into trouble with the SEA and we have not resolved that and rather than just put the bill aside we are asking that it be put into interim study for further action. We hope you'll support the committee report .

Adopted.

SB 164-FN, relative to licensing ophthalmic dispensers. Ought to Pass with Amendment. Senator Currier for the Committee.

SENATOR CURRIER: This is truly a bill that was worked on by all the facets of the eye business; the 3 O's as they called it. It is a compromise position on the part of all people and all parties involved working very closely with the Senate Executive Departments. And I strongly urge the committee to pass as amended.

SENATOR NELSON: Senator Currier, I noticed that on line 15 of the bill on page 2, roman numeral 2 that the members of the board

are receiving \$15 a day for each day they are engaged. I don't usually see that on these boards and I was interested in why this particular board was getting \$15 a day?

Also, I was wondering what an Ophthalmic Dispenser is? Is that a person or a device?

SENATOR CURRIER: I would have to yield to someone more knowledgeable.

SENATOR FREESE: An Ophthalmic dispenser is a doctor who dispenses contact lenses or anything that has to do with the eye with regard to glasses and so forth.

SENATOR NELSON: Do I understand that we are using the word dispenser to refer to a person?

SENATOR FREESE: Ophthalmic means a person, a licensed person who dispenses articles to do with the eye.

AMENDMENT TO SB 164-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Chapter; Ophthalmic Dispensing Registration Required. Amend RSA by inserting after chapter 327 the following new chapter:

CHAPTER 327-A OPHTHALMIC DISPENSING

327-A:1 Definitions. In this chapter:

I. "Ophthalmic dispensing" means the design, verification, and delivery to the intended wearer of lenses, frames, and other specially fabricated optical devices upon prescription. It includes, but is not limited to, prescription analysis and interpretation; the taking of measurements to determine the size, shape, and specifications of the spectacle lenses, frames, or lens forms best suited to the wearer's needs; the preparation and delivery of work orders to laboratory technicians engaged in grinding lenses and fabricating eyewear; the verification of the quality of finished ophthalmic products, the adjustment of lenses or frames to the intended wearer's face; the delivery of such ophthalmic products including instruction in hygiene and insertion and removal of contact lenses; and the adjustment, replacement, and reproduction of previously prepared ophthalmic lenses, frames, contact lenses, or other specially fabricated ophthalmic de-

vices. It does not include the alteration without permission of the prescriber of any prescriptions, nor does it include the fitting of contact lenses which may only be performed by ophthalmologists or optometrists pursuant to law regulating such practices.

II. "Fitting contact lenses" means measurement of the shape of the eye, as well as determining the lens specifications, including base curve, size, shape, thickness, color, and material composition.

III. "Prescription for spectacle lenses" means a dated and signed, written or oral direction not more than 12 months old from a ophthalmologist or optometrist for therapeutic or corrective lenses which states the prescribed refractive power and when necessary, the vertex distance, cylinder axis, and prism. The oral prescription must be recorded and kept on file for 1 year by the ophthalmic dispenser.

IV. "Prescription for contact lenses" means a dated and signed, written or oral direction not more than 6 months old for daily wear or extended wear contact lenses from a ophthalmologist or optometrist which includes the power, size, shape, thickness, curvature, color, and material composition. The oral prescription must be recorded and kept on file for 1 year by the ophthalmic dispenser.

V. "Director" means the director of the division of public health services, department of health and human services.

VI. "Division" means the division of public health services, department of health and human services.

VII. "Ophthalmic dispenser/optician" means any one who sells or dispenses, upon prescription, spectacles, eyeglasses or contact lenses.

327-A:2 Registration of Ophthalmic Dispensers. It shall be unlawful for any person to engage in the business of ophthalmic dispensing unless such person is registered in accordance with this chapter and unless the registration of such person is current and valid.

327-A:3 Application for Registration. An application for a certificate of registration for ophthalmic dispensing under this chapter shall be filed with the division in such form and detail as the director shall require in accordance with rules adopted under RSA 541-A, shall be duly signed and verified, shall be available for public inspection, and shall include, but not be limited to:

I. The name and the business address of the applicant; if an individual, the name under which he intends to conduct business; if a partnership, the name and business address of each member thereof, and the name under which the business is to be conducted; if a corporation, the name of the corporation and the name and business address of each of the officers of the corporation.

II. The place or places, including the complete address or addresses, where the business is to be conducted.

327-A:4 Advisory Council; Establishment, Duties. There is hereby established an advisory council to the director of the division of public health services on the dispensing of spectacles, eyeglasses and contact lenses, whose members shall be appointed by the commissioner of health and human services with the approval of the governor and council. The governor shall designate one member of the advisory council as chairperson. The members of the advisory council shall consist of: 2 ophthalmic dispensers and one member of the public having no relationship to ophthalmic dispensing. Each member of the advisory council shall serve a 3 year term, except that of the initial council, one ophthalmic dispenser, shall serve a 2 year term. Members of the advisory council shall receive no per diem but shall be entitled to mileage when in the performance of duties required by this chapter. The advisory council shall advise the director of the division of public health services on general and specific policies involved in the dispensing of ophthalmic devices and contact lenses.

327-A:5 Powers and Duties of the Director.

The powers and duties of the director under this chapter include:

I. Accepting application for certificates of registration under this chapter; and approving or denying such applications.

II. Renewing certificates of registration.

III. Suspending or revoking certificates of registration upon the grounds listed in RSA 327-A:29, and conducting hearings regarding the denial, suspension, revocation and renewal of certificates as provided in RSA 327-A:11.

IV. Accepting written complaints from the public against registrants and conducting necessary investigations upon such written complaints.

V. Publicizing the complaint procedure.

VI. Adopting such rules under RSA 541-A as are necessary to carry out the purposes of this chapter; but in no instance shall the director adopt rules limiting competition, prohibiting truthful advertising, affecting the location or number of practices or the employment of any person registered under this chapter.

VII. Reporting to the governor and council and to the commissioner of the department of health and human services annually on the activities conducted under this chapter.

VII. Calling at least 2 meetings a year of the advisory council.

327-A:6 Issuance of Certificate. Except as provided in RSA 327-A:9, the director shall issue a certificate of registration for ophthalmic dispensing to any person who files an application for such certificate accompanied by the required application and registration fees within 30 days after the filing of such application.

327-A:7 Application and Registration Fees. Every application for a certificate of registration for ophthalmic dispensing shall be accompanied by a non-refundable registration fee as determined by the director. Upon approval of the application by the director, the applicant shall be issued a certificate of registration for ophthalmic dispensing to be valid for 2 years. The fee for renewal of any certificate of registration shall be determined by the director.

327-A:8 Display of Certificate. Any person who has been issued a certificate of registration under this chapter shall conspicuously display such certificate in their principal place of business.

327-A:9 Suspension, Revocation or Refusal to Issue Certificate.

I. The director may deny the application for a certificate of registration and may suspend or revoke the registration of any ophthalmic dispenser issued pursuant to this chapter or refuse to issue a renewal thereof if it is determined after hearing that such applicant or registrant:

(a) Has made a material false statement or concealed a material fact in connection with his application for certificate of registration.

(b) Has had a certificate of registration issued under this chapter revoked or suspended previously;

(c) Has been found guilty of fraud or fraudulent practices after prosecution by the attorney general, or has used dishonest or misleading advertising;

(d) Has failed to follow the orders on the prescription of an ophthalmologist or optometrist;

(e) Has failed to comply with any other provision of this chapter or any rules promulgated by the director.

327-A:10 Return of Certificate. Upon the suspension or revocation of a certificate of registration by the director and the issuance of a notice thereof, the registrant shall within 5 days, not including Sundays and holidays, deliver to the director the certificate of registration. If surrendered by mail, the certificate of registration must be sent by registered or certified mail, postmarked no later than 3 days, not including Sundays and holidays, following notice of suspension or revocation. Failure

to return a certificate of registration which has been revoked or suspended hereunder within the prescribed time shall constitute a misdemeanor.

327-A:11 Procedure for Complaints; Hearings; Judicial Review.

I. No certificate of registration shall be suspended or revoked until after a hearing before the director, which shall be held in accordance with RSA 541-A, and upon written notice mailed to the registrant by certified or registered mail. However, when a notice of hearing is mailed to a registrant at the address shown in the records

of the division and such a registrant fails to attend such hearing, the director may suspend his registration without a hearing pending his attendance at such hearing. Upon the denial of an application for a certificate of registration, the director shall grant a hearing to an applicant therefor upon receipt of a request for a hearing made within 30 days after the applicant is notified of denial. The director shall have the power to require the attendance of witnesses and issue subpoenas duces tecum in the conduct of such hearing. If a certificate of registration is revoked or suspended or an application is denied, no such certificate shall be issued to such former registrant or applicant for at least 6 months, or thereafter, except in the discretion of the director. The applicant or registrant may be heard in person or by counsel. The director shall notify the applicant of the time and place of the hearing. The director shall have the power to subpoena any person in this state, or document, record or other relevant evidence, and administer an oath to and take the testimony of any such person or cause his deposition to be taken.

II. Appeals from an order of suspension or revocation or a denial of an application of a certificate of registration shall be made under RSA 541.

327-A:12 Rulemaking. The director, division of public health services, shall adopt rules, pursuant to RSA 541-A, relative to:

I. Form and content of applications under RSA 137-F:3.

II. Notification of hearings as authorized under RSA 137-A:11.

III. Establishment of fees pursuant to this chapter.

IV. Any other matter necessary for the administration of this chapter.

327-A:13 Persons and Practices Not Affected. Nothing in this chapter shall apply to:

I. Licensed physicians and surgeons authorized to practice medicine or surgery and licensed optometrists authorized to practice optometry under the laws of this state.

II. The activities of any person employed by a licensed physician or optometrist.

III. Any individual, firm, or corporation employing persons registered under this chapter.

IV. The activities of any employee of an ophthalmic dispenser not engaged in the dispensing of eyeglasses or contact lenses including, but not limited to, the sale of related products, laboratory technicians and the making of minor mechanical repairs upon eyeglasses or frames.

327-A:14 Renewal of Registration. Certificates of registration issued under this chapter shall be subject to renewal every 2 years and shall expire unless renewed in the manner prescribed by the

director. Certificates of registration for ophthalmic dispensing shall be renewed upon the payment of the renewal fee.

327-A:15 Injunction. The director may request the attorney general to commence an action to enjoin the operation of any person engaged in the selling or fitting of ophthalmic devices or contact lenses in violation of this chapter. Said action shall be filed in the superior court in Merrimack county.

327-A:16 Civil Claims. Any person injured by the actions of a person engaged in the dispensing of ophthalmic devices or contact lenses in violation of any of the provisions of this chapter may bring a civil action to recover damages suffered by reason of the violation.

2 Effective Date. This act shall take effect January 1, 1990.

AMENDED ANALYSIS

This bill requires registration of ophthalmic dispensers. Applications for registration shall be filed with the director of the division of public health services, department of health and human services, and shall be accompanied by a registration fee. The director is responsible for processing and making decisions on the applications. The director grants certificates of registration to successful applicants. The director is granted rulemaking authority to administer the new law.

An advisory council is established to advise the director on policy regarding dispensing spectacles and contact lenses.

After a hearing, the director may suspend or revoke certificates of registration, and hears complaints from the public.
Amendment adopted. Ordered to Third Reading.

SB 184, relative to sale of fireworks. Inexpedient to Legislature. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: SB 184, (while it was obvious that Senator Bass, who was the originator and sponsor of the bill, did an awful lot of work and research into the bill) was the original bill we were going to use as the vehicle to legislate the fireworks. After having the original hearing and coming back and having reconsideration on SB 38, the committee decided to go with SB 38 to use as a vehicle to regulate the fireworks bill. The committee reports inexpedient.

Adopted.

SB 36-FN, relative to catastrophic costs and school building aid and making appropriations therefor. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The amendment on SB 36 removes the appropriation for school building aid and catastrophic aid. Those funds are in the supplemental appropriation bill that was passed by this body and is in the possession of the House. We are trying to strike a conference position on that bill. The monies to cover the 1989 deficits in those programs is in that document and is not an item to negotiate. Both houses agree to those fundings. So you do not need the money. You do need the bill to maintain the statutory language relative to the pro rata distribution of catastrophic aid which is in the present biennial operating budget and is a position that has been affirmed by this body repeatedly in the last two years. It also contains the so-called Disnard amendment on school building aid that has a cut off of January 1, which is a statutory change, from what I believe was June 30 in the present law. We need that language, and that is all you have in this bill after you adopt the amendment taking the money out which has been appropriated elsewhere.

AMENDMENT TO SB 36-FN-A

Amendment the title of the bill by replacing it with the following:

AN ACT

relative to catastrophic costs and school building aid.

Amend the bill by deleting sections 2 and 3 and renumbering sections 4 and 5 to read as 2 and 3, respectively.

AMENDED ANALYSIS

This bill changes the law relative to distribution of state aid to school districts for the purpose of meeting catastrophic cost increases in their special education programs by requiring that the appropriation be distributed on a prorata basis. Under current law, catastrophic aid is distributed under an equalizing formula in order to determine what amounts are to be distributed to each district. Amendment adopted. Ordered to Third Reading.

SB 49-FN-A, requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program and making an appropriation therefor. Ought to Pass with Amendment. Senator Torr for the Committee.

SENATOR TORR: This bill requires the department of education to develop a questionnaire to be distributed as part of the state-wide secondary testing program, which would ascertain the levels of par-

ticipation of secondary students in co-curricular and extra-curricular activities and, the after school employment of such students in order to determine the potential causes of voluntary student withdrawal from school. The amendment strikes the funding.

AMENDMENT TO SB 49-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program.

Amend the bill by deleting section 2 and renumbering section 3 to read as 2.

AMENDED ANALYSIS

This bill requires the department of education to develop a questionnaire to be distributed as part of the statewide secondary testing program which would ascertain the levels of participation of secondary students in co-curricular and extracurricular activities and the after school employment of such students in order to determine the potential causes of voluntary student withdrawal from school.

The bill was requested by the legislative study committee to examine the problems of illiteracy and dropout prevention.
Amendment adopted. Ordered to Third Reading.

SB 70-FN-A, establishing a pilot program to test the application of the office of state planning's GRANIT system and making an appropriation therefor: Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The amendment takes the money out of this bill that establishes a pilot program. It has been determined that the necessary funds to drive this state planning activity and system is in the governor's recommended budget and is one of his priorities. You need the bill, you don't need the money.

AMENDMENT TO SB 70-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a pilot program to test the application of the office of state planning's GRANIT system.

Amend the bill by deleting section 4 and renumbering section 5 to read as 4.

AMENDED ANALYSIS

This bill authorizes the office of state planning to establish a pilot program during fiscal year 1990 to test the application of its geographically referenced analysis information transfer (GRANIT) system in up to 3 actual local planning projects. The projects shall involve specific applications of the system to municipal concerns and shall clearly demonstrate how state, regional and municipal planners can cooperate to resolve the municipal concerns through the application of a geographic information system.

Amendment adopted. Ordered to Third Reading.

SB 78-FN-A, making appropriations to the WIC program. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 78 is making an appropriation to the WIC program. It is a federal-state matching program. It provides food, nutritional education and health service to 14,000 low income women, infants and children. The appropriation is for \$110,000 for the fiscal year ending June 30, 1990 and also \$110,000 for the fiscal year 1991. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 106-FN, relative to increasing driver's license fees and relative to issuing temporary driver's licenses to new residents and making an appropriation therefor. Ought to Pass. Senator Hough for the Committee.

SENATOR HOUGH: The committee on finance spent a good deal of time looking into this piece of legislation and also had members of the staff verify it. The situation is this that we are seeing an inordinate number of requests for out-of-state residents for licenses and it puts constraints on the department in knowing the validity of the operating record of these out-of-state residents. What this legislation does is raises the fee to cover the cost of obtaining certified copies of the motor vehicle records from other jurisdictions prior to issuing the licenses to out-of-state residents. It's a mechanism which

will cover the increased cost incurred by the department. It has no negative fiscal impact on the state. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

SB 113-FN-A, relative to medicaid coverage of dental benefits for all categorically eligible recipients and making an appropriation therefor. Ought to Pass with Amendment. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: This is no strange bill to the Senate. It's been here for the past two or three sessions. When it came down to finance this past week, it came in with \$425,000 each year which made it an \$850,000 appropriation. In working with Senator McLane and others, we think we have come up with a program. We've put a dollar into the bill, to send it on, and Senator McLane can speak to it if she likes. But I think this is a worthwhile program and with the cooperation of some dentists throughout the State of New Hampshire we think we've solved the problem.

SENATOR MCLANE: I think you have done it perfectly.

AMENDMENT TO SB 113-FN-A

Amend the bill by replacing section 3 with the following:

3 Appropriation. The sum of \$1 is hereby appropriated for the biennium ending June 30, 1991, to the division of human services, department of health and human services, for the purpose of funding the dental benefits provided in section 2 of this act. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Amendment adopted. Ordered to Third Reading.

SB 147-FN-A, relative to waiting lists for developmentally disabled persons and making an appropriation therefor. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: The amendment on SB 147-FN-A is on page 15. It is clearly the position of the Senate Finance committee to see that money is appropriated under this piece of legislation. This is a position where we would not put a dollar in it to so-call keep it alive, but we will establish within the budgetary considerations of the biennial operating budget, this as the sole, singularly most considered priority; appropriating \$1,250,000 in the first and \$1,250,00 in the

second year of the biennium to address the problems as covered by this piece of legislation. This is clearly a bipartisan supported piece of legislation. Both the House and the Senate are committed to this to the extent of appropriating the first dollars as outlined.

SENATOR JOHNSON: Senator Hough, tell me again what you were saying about the appropriation. Tell me what the appropriations are.

SENATOR HOUGH: The amendment appropriates \$2.5 million in the next biennium to accomplish the purposes of this act.

SENATOR JOHNSON: Senator Hough, if we can appropriate that sum of money, which I don't doubt there is a need for, should we not also be able to find the \$70,000 for the telecommunications services for the deaf and the speech impaired people of New Hampshire?

SENATOR HOUGH: Well, there is a difference. The Department of Administrative Services has the ability to enter into a contract with Merrimack County to provide access to the hearing impaired to state government and they can do it within the resources. If there is any agency in state government that would be able to meet that statutory obligation, it would be the Department of Administrative Services.

AMENDMENT TO SB 147-FN-A

AN ACT

relative to waiting lists for developmentally
disabled persons.

Amend the bill by replacing paragraph II of section 2 of the bill with the following:

II. The members of the committee shall advise the director, division of mental health and developmental services, in determining priorities for the allocation of funds appropriated for the purpose of eliminating waiting lists for services. Such priorities shall include, but not be limited to, early intervention, respite care, supported employment, and residential services to persons with disabilities who are unserved and on an area agency waiting list.

III. The members of the committee shall elect a chairman from its membership.

Amend the bill by replacing all after section 2 with the following:

3 Transfer Authorized. Upon the effective date of this act, the sum of \$1,250,000 for the fiscal year ending June 30, 1990, and the sum of \$1,250,000 for the fiscal year ending June 30, 1991, shall be transferred from any PAU in the department of health and human services as, designated by the commissioner of health and human services, to the community grants account, division of mental health and developmental services, department of health and human services account. Said sums shall only be expended for the purposes of this act.

4 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill establishes a 6-year advisory committee to advise the director of the division of mental health and developmental services in determining priorities for the allocation of funds appropriated during the period for the purpose of eliminating waiting lists for services at area agencies throughout the state.

The bill authorizes a transfer to fund the purposes of this bill. Amendment adopted. Ordered to Third Reading.

SB 169-FN, creating a committee to study school tax rates. Ought to Pass. Senator Hough for the Committee.

SENATOR HOUGH: There is a good question as to why Senate Finance had this piece of legislation. I would say simply that the committee, at my motion and at my request, moved ought to pass. I would tell you briefly that, unlike sessions in the past, where there was specific legislation introduced by the Senator from the seventh district, that, in effect, attempted to upset or break up the special articles of agreement of the Kearsarge School District, the present Senator from the seventh district recognized that this is a problem that in effect splits an otherwise amiable agreement between the Senators of the fifth and seventh districts irregardless of who may sit in these seats. This is a more reasonable and straight forward attempt to address the concerns that Senator Currier has with the taxing of his towns in the Kearsarge district vis-a-vis, the towns in my district that make up the Kearsarge district. This truly is a parochial issue, it is a perennial battle and I could do nothing less than at least allow him the courtesy to pursue this study.

Adopted. Ordered to Third Reading.

Senator Hough wished to be recorded as opposed.

SB 170-FN-A, establishing an emergency shelter telephone service and a pilot housing voucher program, and making appropriations therefor. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: The amendment to SB 170 is in your packet. What it does is appropriates \$30,000 for a telephone hot line to the emergency shelter program and that telephone hot line would be to find immediate emergency shelter for the homeless. The committee recommends ought to pass.

AMENDMENT TO SB 170-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing an emergency shelter telephone service and a pilot housing voucher program, and making an appropriation for the emergency shelter telephone service.

Amend the bill by replacing section 8 with the following:

8 Appropriations.

I. The sum of \$30,000 is appropriated for the fiscal year ending June 30, 1990, and the sum of \$30,000 is appropriated for the fiscal year ending June 30, 1991, to the division of mental health and developmental services, department of health and human services, for the purpose of funding the emergency shelter information and referral telephone service established in section 2 of this act. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill establishes a statewide emergency shelter information and referral telephone service to assist homeless persons in finding immediate emergency shelter. The bill also establishes a pilot municipal housing voucher aid program which will help eligible applicants meet their current housing costs and prevent loss of housing as a result of inability to pay such costs.

The bill also makes an appropriation for the purpose of funding the emergency shelter telephone service.

Amendment adopted. Ordered to Third Reading.

SB 176-FN-A, extending the pilot program for child care provider recruitment and training and making an appropriation therefor. Inexpedient to Legislate. Senator Hough for the Committee.

SENATOR HOUGH: Those of you who were in the legislature, either the House or Senate, in the last session of the legislature, recognize that we did establish a pilot program to coordinate day care activities. That authorization is in effect and we do not need this piece of legislation because without the resources in this bill the authorization is repetitive and clearly you can recognize in the Governor's message that he wishes to continue this position and activity. So in effect, this is one where you neither need the money nor the bill because the authority is given and the funds are in the proposed biennium budget of the Governor.

Adopted.

SB 177-FN-A, establishing a grant program and a guaranteed loan fund for child care providers and making an appropriation therefor. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: SB 177 establishes a grant program and a guaranteed loan fund for child care providers. What we did is, we took section four out which had the appropriation, so the appropriation is out; we renumbered section 5 to read section 4 and that amendment is on page 22 of your calendar. The committee recommends ought to pass.

AMENDMENT TO SB 177-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a grant program and a guaranteed
loan fund for child care providers.

Amend the bill by deleting section 4 and renumbering section 5 to read as 4.

AMENDED ANALYSIS

This bill establishes a grant program to encourage private, non-profit agencies to expand ongoing licensed child care centers. The grant program is administered by the directors of the division of human services and the division of public health services.

The bill also establishes a guaranteed loan fund for both private, nonprofit agencies and for-profit organizations and businesses which provide child care services for employees for the purpose of establishing or expanding licensed child care centers. This fund is administered by the housing finance authority.

Amendment adopted.

Senator Krasker offered a floor amendment.

SENATOR KRASKER: I do have a floor amendment which has been passed out to you. It doesn't change the report of Senator Poldes or the Finance Committee. However, when the amended bill was printed in the calendar some of the amendment was inadvertently omitted. What my floor amendment does is include the entire amendment, which establishes the revolving loan fund and setting up the criteria for the loan fund. I think what Finance intended to do unfortunately wasn't printed that way and the amendment takes care of it.

SENATOR HOUGH: Clearly, I have spoken to Senator Krasker, not only today but a couple of days ago, when she brought this to our attention. I had the staff of LBA look at this amendment and they indicated that it was already included in the bill as we received. That's a procedural problem. Nonetheless, this is policy, it is a policy decision we understood it to be in the bill, in fact was not in the bill. It doesn't affect the finances. We concur with Senator Krasker that she should have had that in her bill as she sent it to us and we thought she did. Pass her amendment also.

SENATOR CURRIER: Senator Krasker, what is the purpose of passing legislation that has money attached to it without the money?

SENATOR KRASKER: In this case, the money is in the budget. What we're doing through this legislation is setting up the policy. The money, \$150,000, for the revolving loan fund is now in the budget. It was in the Governor's proposed budget which is now in appropriations.

Floor Amendment to SB 177-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing an interest-free revolving loan fund and a
guaranteed loan program for child care providers.

Amend the bill by replacing section 2 with the following:

2 New Chapter; Interest-Free Revolving Loan Fund for Private, Nonprofit Child Care Providers Established. Amend RSA by inserting after chapter 161-E the following new chapter:

CHAPTER 161-F

REVOLVING LOAN FUND FOR NONPROFIT CHILD CARE PROVIDERS

161-F:1 Revolving Loan Fund Established. There is hereby established the revolving loan fund for nonprofit child care providers within the division of human services, department of health and human services. The director of the division of human services shall administer the program in order to provide interest-free loans to private, nonprofit child care agencies for the purpose of expanding or making necessary improvements to a licensed child care center or program which is registered as a nonprofit organization with the state and which falls under one of the following categories of services, as defined in RSA 161-F:4: family day care home, family group day care home, group pre-school center, day care nursery, or pre-school program.

161-F:2 Amount of Loan; Terms. Each eligible applicant may receive one loan in an amount up to and including \$10,000. In no event shall the total amount loaned under this chapter exceed \$150,000 in the aggregate at any time. The loans shall be repayable to the division of human services, without interest, according to the terms established by the director, division of human services, by rule under RSA 161-F:3, V. Recipients shall demonstrate to the director the disposition of any funds provided under the loan program. In no event shall the term of repayment exceed 5 years, provided, however, that the director may suspend repayment for a period of time upon good cause demonstrated by the borrower.

161-F:3 Eligibility and Delivery of Service Standards.

I. Successful applicants for loans provided under this chapter are required to demonstrate in their application that they meet the minimum eligibility standards of paragraphs II and III.

II. Each applicant shall:

- (a) Hold a child care provider license pursuant to RSA 170-E.
- (b) Register with the state as a private, nonprofit organization.
- (c) Address a geographic or community need for projected service or agree to provide service to infants and toddlers.
- (d) Agree to provide service to children who are eligible for Title XX assistance under Public Assistance Manual ITEM 390, sections 3980-3983.
- (e) Be fiscally sound as shown in a financial statement.
- (f) Comply with state and local public health, fire and life safety codes and zoning requirements.

III. Each applicant shall either:

- (a) Seek a loan in order to renovate an existing facility or facilities to comply with life safety, fire, health, or other public codes, whether state or local, and shall demonstrate expected costs of such compliance; or

(b) Seek a loan in order to make capital expenditures necessary to meet licensing requirements related to planned expansion and shall demonstrate expected costs of such compliance.

IV. The director of the division of human services shall adopt rules, pursuant to RSA 541-A, relative to:

(a) General financial qualifications for eligibility of nonprofit organizations for the loan.

(b) The form and procedure for application for such loans.

(c) The term of the loans granted pursuant to this chapter including, but not limited to, what shall constitute good cause for suspending repayment for any period of time.

(d) The form and terms of loan agreements required of eligible borrowers.

(e) Such other matters as are necessary to carry out the powers and duties of the division under this chapter.

161-F:4 Definitions. In this chapter:

I. "Child care agency" means any person, corporation, partnership, voluntary association or other organization registered with the state as a nonprofit organization, who regularly receives for care one or more children, unrelated to the operator of the agency, apart from the parents, in any facility as defined in this section and maintained for the care of children. The types of child care agencies are defined as follows:

(a) "Family day care home" means an occupied residence in which child care is regularly provided for less than 24 hours per day, except in emergencies, for one to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. In addition to the 6 children, one to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

(b) "Family group day care home" means an occupied residence in which child care is regularly provided for less than 24 hours per day, except in emergencies, for 7 to 12 children from one or more unrelated families. The 12 children shall include all children related to the caregiver and any foster children residing in the home, except children who are 10 years of age or older. In addition to the 12 children, one to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

(c) "Group pre-school center" means a facility regularly providing full day or half day child care for 13 or more pre-school children, whether or not the service is known as day nursery, nursery school,

kindergarten, cooperative, child development center; day care center; center for the developmentally disabled, progressive school, Montessori school, or by any other name.

(d) "Day care nursery" means a facility in which child care is regularly provided for any part of a day, but less than 24 hours, except in emergencies, for 5 or more children under the age of 3. The 5 children shall include all children present during the period of child care, including those children related to the caregiver, except children related to the caregiver who are 10 years of age or older.

(e) "Pre-school program" means a facility regularly providing a structured program up to 5 hours per day for 7 or more children who are 3 years of age and older and who are not attending a full day school program. The number of children shall include all children present during the period of the program, including those children related to the caregiver.

Amend the bill by deleting section 4 and renumbering the original section 5 to read as 4.

AMENDED ANALYSIS

This bill establishes an interest-free revolving loan fund to encourage private, nonprofit agencies to expand ongoing licensed child care centers. The revolving loan fund is administered by the director of the division of human services.

The bill also establishes a guaranteed loan program for both private, nonprofit agencies and for-profit organizations and businesses which provide child care services for employees for the purpose of establishing or expanding licensed child care centers. This program is administered by the housing finance authority.

The bill was requested by the division of human services, department of health and human services.

Floor Amendment adopted. Ordered to Third Reading.

SB 191-FN-A, relative to telecommunications devices for the deaf and making an appropriation therefor. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: This is the piece of legislation that you heard me respond to a question from Senator Johnson. Clearly, it should be state policy that the state agencies be accessible to the hearing impaired handicapped. This piece of legislation authorizes and directs the Department of Administrative Services to enter into a contract to provide these services to the citizenry when addressing state government. Resources can be obtained within Administrative

Services by administrative means if any agency can meet statutory obligations.. Clearly, the means whereby the hearing impaired can address state government should be recognized as public policy in New Hampshire. We are committed to this, we are authorizing this. We are saying this is something that can be handled by the agency and we are directing them to do it.

SENATOR HEATH: Senator Hough, I heard a lot of words here but I could not hear a guarantee that the appropriation was in here.

SENATOR HOUGH: No, it is not in here. It is directing the Department of Administrative Services to enter into a contract with Merrimack County to provide these services when people approach the State of New Hampshire. And they shall do it.

SENATOR HEATH: It is mandated that they shall do it?

SENATOR HOUGH: As of the effective date of this act. Effectively in the next biennium.

SENATOR JOHNSON: Senator Nelson, as a sponsor of SB 191-FN-A, are you satisfied that the amendment will accomplish the purpose that you set out to do?

SENATOR NELSON: Senator Johnson, it will only accomplish half of it. There are two parts to the bill. One part is that it will mandate that the State of New Hampshire, the state agencies will be fully accessible to the deaf, and that they carry on their letterhead the TTY number. The second half, on page 2 of the bill line 8 part 3, is the contract which authorizes the Merrimack Community Services Council to, in fact, put it into place 24 hours a day. So I wasn't clear, if Senator Hough has researched it and he feels that this, in fact, will accomplish both ends of the bill, then I am comfortable that he would be above board in telling us that today.

AMENDMENT TO SB 191-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

relative to telecommunications devices for the deaf.

Amend the bill by deleting section 4 and renumbering section 5 to read as 4.

AMENDED ANALYSIS

This bill requires that all state agencies use and publicize the teletypewriter device for the deaf, hard of hearing, and speech-impaired

residents of the state and authorizes the department of administrative services to contract with the Community Services Council of Merrimack County in order to provide teletypewriter access to all state agencies.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

SB 195-FN-A, establishing a family support network for families caring for children or adult family members with disabilities at home and making an appropriation therefor. Ought to Pass with Amendment. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: SB 195 establishes a network of family support services to be provided to families caring for a family member with a disability at home. Such services include establishment of regional family support councils, information and referral, educational materials and emergency and outreach services. The Senate Finance Committee's amendment reduces the appropriation. The first year it was \$1,055,000 and the second year it was \$1,984,000. We amended it to include \$500,000 each year of the biennium. I emphasize we have not spent much money in Senate Finance. We have been very careful knowing what the State's finances are. We put our priority into one bill, this is a companion bill to it. We feel that this is one of the most important bills of this session. We ask that you support it. But basically the reason is that it allows parents to care for their children at home. It provides support services and additional area coordinators to assist these families. Senator Krasker and all of them have put a lot of work into this bill. We felt in Finance it should be one of our top priorities. That is why we have taken the course of sending \$500,000 each year. We ask your support.

SENATOR NELSON: Senator Blaisdell, how many families do you think that bill will serve.

SENATOR BLAISDELL: Certainly, Senator Nelson, it's not going to serve as many as we would like, but it will serve some. Maybe we have jumped the gun a little too soon here in this session right now. This isn't going to be over until its over. We wanted to be sure that this piece of legislation was alive and well leaving the Senate, showing some direction from the Senate, to go to the House and set a priority. The number of people was told to me yesterday, but Sena-

tor Nelson, I've had so many figures thrown at me in the last few days I can't remember. It is probably about 1200 families and this would only serve...how many?

SENATOR NELSON: Thank you.

AMENDMENT TO SB 195-FN-A

Amend the bill by replacing section 3 with the following:

3 Appropriation. The sum of \$500,000 for the fiscal year ending June 30, 1990, and the sum of \$500,000 for the fiscal year ending June 30, 1991, are hereby appropriated to the division of mental health and developmental services, department of health and human services, for the purposes of this act. These appropriations shall be in addition to any other sums appropriated to the division. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

Amendment adopted. Ordered to Third Reading.

SB 202-FN, relative to foundation aid levels. Inexpedient to Legislate. Senator Dupont for the Committee.

SENATOR DUPONT: This was a well intentioned bill brought to the Senate Finance committee as a result of the concerns from the Nashua delegation and other communities that were negatively impacted by the Augenblick formula. The Senate Finance committee was very sympathetic to their concerns but based on the fact that there is solid commitment by the legislature behind the Augenblick formula, we saw no merit in bringing the bill forward. The committee recommendation is Inexpedient to Legislate.

Adopted.

SB 153-FN-A, establishing a committee to study the AFDC programs. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: SB 153 establishes annually for the AFDC recipients a standard of need which is to study the AFDC program. The bill makes an appropriation of \$15,000 for such a purpose and it keeps going for one year to June 30, 1990. They also get a matching fund which is \$15,000 from the federal government. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

VACATE

Senator Hough moved to vacate SB 133-FN-A, making an appropriation for Title XX grants and protective and preventive child care, from Senate Finance to second reading at the present time.
Adopted.

Senator Blaisdell moved ought to pass for the committee report.

SENATOR BLAISDELL: SB 133 came to us in Finance. We worked pretty hard the other evening to get these bills out. We wanted to talk to Senator Krasker but she was not around, she had waited a long time. We wanted to give her the courtesy of bringing in an amendment on this bill. Senator Krasker, do you want to talk to the amendment?

Senator Krasker offered a floor amendment.

SENATOR KRASKER: As you can see, what the amendment does is it appropriates one dollar from general funds. This is in order to send the bill over to the House. The money appropriates funding for protective and preventive child care where there have been instances of abuse or neglect in the house. These children may be taken out of the home for certain hours of the day and put into day care for their own protection. This is money that is, eventually, saved from settlement. And what I am hoping will happen is the bill goes over to the House, that the House committee will look at it and readjust the budget and fund this through money that would otherwise go to settlement. But it has to have an appropriation on it in order for it to go over to one of the Finance Committees. So I hope you will pass this with the amendment, get it over to the House, and I hope the House appropriations will take care of it.

Floor Amendment to SB 133-FN-A

Amend the bill by replacing section 1 with the following:

1 Appropriation. In addition to any other appropriations made, the sums of \$1,064,407 from federal funds and \$1 from general funds are hereby appropriated for the fiscal year ending June 30, 1990, and the sums of \$1,064,407 from federal funds and \$1 from general funds are hereby appropriated for the fiscal year ending June 30, 1991, to the division for children and youth services, department of health and human services, for the purpose of Title XX grants and protective and preventive child care. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

Floor Amendment adopted. Ordered to Third Reading.

VACATE

Senator Hough moved to vacate SB 204-FN-A, relative to placements of children, and making supplemental appropriations to the division for children and youth services, from Senate Finance to second reading at the present time.

Adopted.

Senator Dupont moved inexpedient to legislate for the committee report.

SENATOR DUPONT: This is the settlement issue about a program that we have recognized is in need of some of additional work. However, due to our deadline, and the fact that I am still working on some proposed legislation on this matter, I would like at this time, because of our Senate rules, to allow this to be inexpedient to legislate. Hopefully, by the time a House bill comes across that deals with the same subject, we will be able to put appropriate language in that bill at that time.

Adopted.

COMMITTEE REPORTS

SB 89-FN, providing a 5 percent cost of living adjustment for group I retirement system members. Ought to Pass with Amendment. Senator Magee for the Committee.

SENATOR MAGEE: I would urge you to vote no on the amendment that is before us. It is an improper amendment that is in the calendar and I will offer a floor amendment after that vote.
Amendment failed.

Senator Magee offered a floor amendment.

SENATOR MAGEE: SB 89 basically allows a 5% cost of living adjustment for Group I retirement members. The amendment provides that these employees who were in the employ of the state for a minimum of 10 years and prohibits somebody from going to work for a 5 month period and receiving those benefits forever.

Floor Amendment to SB 89-FN

Amend the title of the bill by replacing it with the following:

AN ACT

providing a 5 percent cost of living adjustment for group I retirement system members and relative to defining "retired state employee" for state employees group insurance purposes.

Amend the bill by replacing section 3 with the following:

3 Retired State Employee Defined; Medical and Surgical Benefits. RSA 21-I:30 is repealed and reenacted to read as follows:

21-I:30 Medical and Surgical Benefits.

I. The state shall pay the full premium for each state employee and permanent temporary or permanent seasonal employee as defined in RSA 98-A:3 including spouse and minor, fully dependent children, if any, and each retired employee, as defined in paragraph II of this section, and his spouse, or retired employee's beneficiary only if an option was taken at the time of retirement and the employee is not now living, toward group hospitalization, hospital medical care, surgical care and other medical benefits plan within the limits of the funds appropriated at each legislative session and providing any change in plan or vendor is approved by the fiscal committee of the general court prior to its adoption. Funds appropriated for this purpose shall not be transferred or used for any other purpose.

II. For purposes of this section, "retired employee" means:

(a) Each state employee retired under the provisions of RSA 14:27-c, other than a vested deferred retiree, RSA 100-A:5, or RSA 100-A:19-c, or retired under equivalent provisions under a predecessor system, provided that such employee is in service with the state at the time he gives notice of his intent to retire, has at least 10 years of creditable service for the state at the time of retirement, and has not elected to take a reduced service retirement allowance pursuant to RSA 100-A:5, I(c) or RSA 100-A:19-d; and

(b) Each state employee retired under the provisions of RSA 100-A:6, RSA 100-A:19-f, or RSA 100-A:19-g, or retired under equivalent provisions under a predecessor system.

III. Employees employed by any of the groups authorized to participate in the New Hampshire retirement system other than the state at the time they give notice of their intent to retire or of their intent to elect a vested deferred retirement allowance shall not be eligible for medical and surgical benefits under this section.

IV. Any state employee who is in service with the state at the time he gives notice of his intent to retire with at least 10 years of creditable service for the state at the time of retirement and who

elects to take a reduced service retirement allowance pursuant to RSA 100-A:5, I(c) or RSA 100-A:19-d shall be entitled to elect to receive such medical and surgical benefits as are afforded to retired employees under this section, except that the state's share of the cost of the premium for such benefits shall be reduced in the same proportion as such retirement benefits are reduced under RSA 100-A:5, I(c) or RSA 100-A:19-d.

V. In any case under paragraph IV, the remaining cost of the premium for the medical and surgical benefits not paid by the state shall be withheld and deducted from retirement benefits paid to the employee, or to his spouse or beneficiary as provided in paragraph I.

VI. Persons who retired on or before February 1, 1989, and who were receiving state-paid medical and surgical benefits pursuant to RSA 21-I:30 on February 1, 1989, shall continue to receive such benefits in accordance with RSA 21-I:30 as enacted by 1985, 399:1.

4 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 1989.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill provides a 5 percent cost of living adjustment for group I New Hampshire retirement system beneficiaries who retired prior to July 1, 1988, effective July 1, 1989. The additional allowance becomes a permanent part of the beneficiary's base retirement allowance.

Funding for the additional allowances comes from the retirement system special account, RSA 100-A:16, II(h).

The bill also defines who qualifies as a "retired state employee" in order to receive medical and surgical benefits under RSA 21-I:30.

Floor Amendment adopted. Ordered to Third Reading.

SB 103-FN, relative to hospital and medical benefits for certain retired state employees. Inexpedient to Legislate. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: SB 103-FN was put in to correct a problem that has been happening over the past five years where the system has paid the benefits to spouses, dependent children and other beneficiaries. If the legislation is passed it would continue to do so on an ongoing basis. It is presently against the law. This involves approximately 135 families. While the committee would like to pay the medical benefits for the spouses, it doesn't want to continue it any further and the committee's recommendation is inexpedient.

Senator McLane moved to substitute ought to pass for the committee report.

SENATOR MCLANE: Senator Blaisdell and I served on a committee having to do with employee retirement benefits and so we met often with Mr. Descoteau who is head of the state retirement program. He made us aware of an anomaly in the law that directly affects constituents of mine. Until December of this year, employees were under the impression that when they retired that their dependent children would receive medical benefits. A woman who lives in Bow wrote me a very poignant letter. She is the daughter of a state employee and she was married to a state employee. When he died, she was given a choice between taking all of his benefits or staying in the state system and receiving medical benefits for herself and her thirteen year old son. If you have a 13 year old child who plays baseball, you know that you would take the medical benefits. This benefit was paid for six years, until such time as there was an audit of the retirement system. The first time in six years, when it was discovered that it was not exactly clear that family members as well as spouses were covered. Obviously, most retirees no longer have children that would be covered under their medical benefits, very few of them. But I believe very strongly that this was a legislative attempt and this bill would correct that legislative attempt. I think it is a pretty awful thing when the state makes someone choose and then 6 years later tells them that that choice was not theirs. It does not cover 135 people. It only possibly could cover 135 people, but it is obvious that most of those people have a spouse and not a dependent child and the spouse is covered. I feel very strongly that our state has got to treat our retired employees with respect if we are going to keep those loyal employees that we have. This is a very small bill and a very small case in point, but to me what it says is, does our state mean what it says when it promises or does it not? And I would urge that you send SB 103 forward to the other side where it could progress in the normal way.

SENATOR FREESE: I, too, was on that committee that Senator McLane addressed in her remarks and I do have the same concern that she does, but I have a different opinion in continuing these benefits. The law was specifically clear, I believe, and was picked up by the audit when the audit was made. In December, when these benefits were cut off, Mr. Descoteau immediately made sure that these people were covered on a lower rate - on the group rate so that they could continue the benefit, but having to pay that lower rate. I don't think there was any intent including anything but the spouses on

that retirement and I think we should go ahead and support the committee report - inexpedient to legislate.

SENATOR DISNARD: Senator McLane, would you believe it would be morally right for this body to grandfather those people that perhaps are receiving that amount of money inadvertently through no fault of their own and then continue the law as it should be but protect those people.

SENATOR MCLANE: That is exactly as the bill stands before you. That is exactly what I did. Senator Freese, how would you answer this woman from Bow who had a choice presented to her by the retirement board, made that choice and now it turns out that the parameters of that choice were completely false. How do you think the state ought to compensate her?

SENATOR FREESE: I don't know the total circumstances with that person, you are more familiar with that situation than I, but I don't think we should continue to pay if the law says we can't. I think it is wrong while we are so tight for financing to continue with that benefit. Most private sector employees do not have the fortunate benefits that the state employees have already. And I don't think we owe them this extra bit.

SENATOR CHARBONNEAU: Senator McLane, how many people are involved in this?

SENATOR MCLANE: Only 135 possibly, but of that number a very small percent would have children under 18 who would receive this benefit and most of those would be people whose spouses died in service while they were state employees.

SENATOR CHARBONNEAU: And how many more years would this progress, the 135 who could be under this?

SENATOR MCLANE: Until those children reach 18, unless there was an amendment adopted to make it prospective.

SENATOR CHARBONNEAU: What if the retiree, who is 45, decides to marry a 20 year old and this could go on because there are a few people in that category.

SENATOR MCLANE: More luck to him but I think it's a very rare circumstance and the bill would not cover it unless it had already happened.

Motion failed.

Senators Disnard, Blaisdell, Hough, King and Krasker wished to be recorded as in favor of the motion ought to pass.

Question: Inexpedient to Legislate.

Adopted.

SB 17, allowing the wetlands board authority to issue cessation orders pending a hearing. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: SB 17 allows the wetlands board authority to issue cessation orders pending a hearing. The amendment takes out the twenty day period, makes it mandatory for local officials to go before the board who are the only ones to officially issue cease and desist orders. The amendment also deals with emergency cease and desist and is located in today's calendar.

AMENDMENT TO SB 17

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraphs; Orders of the Wetlands Board. Amend RSA 483-A:3 by inserting after paragraph II the following new paragraphs:

III. Whenever it is found that a wetlands is at immediate risk from dredging, filling, or other activity in violation of the chapter, the board may issue an emergency order in writing requiring the immediate cessation of such activity. Any person to whom such an order is directed shall comply immediately, but may ask for a rehearing and appeal to the superior court for the county where the land in question is located under the same procedures as is provided for appeals in RSA 677:2-14. Each appeal shall contain a detailed description of the land involved in the board's order. Service of the appeal shall be made on any member of the board and the superior court shall have the same jurisdiction to dispose of such appeals as is provided in RSA 677:2-14 governing appeals.

IV. The wetlands board may issue an order to any person in violation of this chapter, a rule adopted under this chapter or any condition in a permit issued under this chapter to comply with this chapter; the rule or the permit, and require such remedial measures as may be necessary. Any person to whom such an order is directed may apply for a rehearing and may appeal to the superior court for the county where the land in question is located under the same procedures as is provided for appeals in RSA 677:2-14. Each appeal shall contain a detailed description of the land involved in the board's

order. Service of the appeal shall be made on any member of the board and the superior court shall have the same jurisdiction to dispose of such appeals as is provided in RSA 677:2-14 governing appeals.

2 Effective Date. This act shall take effect 60 days after its passage.

Amendment adopted. Ordered to Third Reading.

SB 74-FN, increasing civil penalties for wetlands violations. Inexpedient to Legislate. Senator Preston for the Committee.

SENATOR PRESTON: It was felt that this legislation, if passed, would generate more work and more permits would be required. There was some ambiguous language in this as it referred to being adjacent to bodies of water or marsh lands. And it indicated that some of the fines would be excessive.

Adopted.

SB 69-FN, establishing the home mortgage guarantee authority. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: SB 69 was a bill that we previously had on the floor of the Senate and was recommitted back to the Internal Affairs Committee for additional work. That work has been done and it is included in your calendar in this amendment. However, the original work done by the committee is not in the calendar amendment. I would ask that at this point in time you vote down the amendment that is in the calendar and I will then bring in a floor amendment that takes care of both sets of amendments.

Amendment failed.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: You have before you the floor amendment for SB 69, which incorporates both the original amendments that were in front of the Senate after it came out of committee last time, as well as a new amendment to deal with some questions that were raised during the last Senate session. Basically, what we have done with the new amendment in addition to what was previously done, is to further guarantee that the state's bond rating will not be hurt by this piece of legislation. This is a guaranteed authority that would provide low cost home mortgage guarantee insurance for individuals who are purchasing low and moderate cost homes. Basically, we

have had an opportunity, since this was last on the floor, to take a look at some other states who have the same type of program, and feel really confident today bringing forth a piece of legislation that will not negatively impact the state's bond rating as well as a piece of legislation that will provide a needed service to first time home buyers.

Floor Amendment to SB 69-FN

Amend the bill by replacing all after section 1 with the following:

2 New Chapter; Home Mortgage Guarantee Authority. Amend RSA by inserting after chapter 204-D the following new chapter:

CHAPTER 204-E

NEW HAMPSHIRE MORTGAGE GUARANTEE AUTHORITY

204-E:1 Purpose. The purpose of this chapter is to provide low cost mortgage repayment guarantees to low and moderate income home buyers.

204-E:2 Definitions. In this chapter:

I. "Authority" means the New Hampshire home mortgage guarantee authority.

II. "Lender" means the New Hampshire housing finance authority, any bank or trust company, Federal National Mortgage Association approved mortgage banker, savings bank, credit union, national banking association, insurance company, or financial institution or governmental agency which customarily provides service or otherwise aids in the financing of mortgages in this state.

III. "Mortgage" means a mortgage deed, deed of trust, or other instrument which shall constitute or create a security interest in tangible personal property constituting housing, or a lien on real property or on a leasehold under a lease having a remaining term, at any time such mortgage is acquired, which does not expire for at least that number of years beyond the maturity date of the obligation secured by such mortgage.

IV. "Mortgage loan" means an interest-bearing obligation secured by a mortgage.

204-E:3 Authority Established.

I. There is hereby created a body politic and corporate having a distinct legal existence separate from the state and not constituting a department of state government, to be known as the New Hampshire home mortgage guarantee authority to carry out the provisions of this chapter. The authority is hereby deemed to be a public instrumentality and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of public and essential governmental functions of the state.

II. The authority shall be administratively attached, under RSA 21-G:10, to the New Hampshire housing finance authority established under RSA 204-C:2. The New Hampshire housing finance authority may provide administrative support to the authority.

204-E:4 Board Members. The powers of the authority shall be vested in a 5-member board. The board shall consist of the state treasurer and the insurance commissioner, ex officio, and 3 additional members appointed by the governor with the consent of the council. Appointed members shall serve for a term of 5 years and until a successor is appointed and qualified. Notwithstanding RSA 204-C:3 at least one of the appointed members shall be a member of the housing finance board established under RSA 204-C:3. Members shall receive no salary but shall be reimbursed for reasonable expenses. The governor shall designate the chairman.

204-E:5 Meetings of Board. Meetings shall be held at the call of the chairman or when 3 members so request. Three members of the board shall constitute a quorum and the affirmative vote of 3 members shall be necessary for any action taken by the authority. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

204-E:6 Executive Director; Operations.

I. The board shall appoint an executive director who shall be a person qualified by training and experience in this field and shall hold office for an indefinite term, at the the pleasure of the board.

II. The executive director shall also be the secretary of the authority, shall keep a record of proceedings of the authority, and shall be the custodian of all books, documents, and papers filed with the authority and of its minute book and seal. He shall have the power to cause copies to be made of all minutes and other records and documents of the authority and to give certificates under the seal of the authority to the effect that such copies are true copies and all persons dealing with the authority may rely upon such certificates.

III. The executive director shall employ such assistants, clerical and administrative staff as necessary and within limits of funds available for that purpose.

204-E:7 General Powers. The authority may:

I. Sue and be sued in its own name.

II. Have an official seal and alter the same at pleasure.

III. Maintain offices at such place within the state as it may designate.

IV. Issue certificates of guarantee for mortgages on residential property held by the New Hampshire housing finance authority or any other lender which is authorized to make mortgage loans under the laws of this state.

V. Enforce any of its authorized orders in the courts of the state.

VI. Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter with any governmental agency, private corporation, lending institution, other entity, or individual.

VII. Charge and collect from elderly persons and eligible persons and families, as those terms are defined in RSA 204-C:1, VII and X, and lenders, such fees and charges as the authority may establish from time to time for its programs.

VIII. Create and establish such funds or accounts as may be necessary or desirable for furtherance of the purposes of this chapter.

IX. Enter into agreements or other transactions with, and accept grants, property loans, financial or other assistance of any governmental agency, lender or other source in furtherance of the purposes of this chapter.

X. Acquire or contract to acquire real personal property, or any interest in real or personal property, in fee simple or otherwise, in its own name by gift, purchase, transfer, foreclosure, lease or otherwise, including rights or easements in property; and hold, sell, assign, lease, encumber or otherwise dispose of any real or personal property or any interest in real or personal property.

XI. Do any and all things necessary or convenient to carry out its purposes and exercise, implement and perfect the powers given and granted in this chapter.

204-E:8 Guarantee by the Authority. Upon application from a lender in such form as the authority may require, the authority may issue, or commit itself to issue, to the lender or its assigns, the authority's certificate of guarantee equal to that portion of the outstanding principal balance due on the mortgage loan which exceeds 70 percent of the value of the mortgaged property at the time the mortgage loan was made to assist elderly persons and eligible persons and families as those terms are defined in RSA 204-C:1, VII and X.

204-E:9 Guarantee Certificate Conclusive. The authority's certificate of guarantee, in the hands of the original lender to whom the certificate was issued, shall be conclusive evidence of its validity for the purposes of this chapter, except for fraud.

204-E:10 Subrogation and Order of Payment. Payment on loans guaranteed by the authority shall be allocated first to payment of interest and principal due the lender and only then to the portion of the mortgage loan guaranteed by the authority. Whenever the authority pays to a lender any sum in discharge of its liability as guarantor under this chapter, the authority shall be to that extent subrogated to the lender's right, title and interest in any securities

or recoveries incidental to the mortgage loan with respect to which the guarantee was issued. The authority shall make such adjustments with respect to the yield of those mortgage loans to which it is subrogated as shall be necessary to prevent bonds and notes issued under RSA 204-C from being treated as arbitrage bonds under the Internal Revenue Code, or as may be required by any provision which may be in such bonds or notes for the purposes of preventing such treatment.

204-E:11 Guarantee Fee. The authority shall collect from the lender a guarantee fee. Notwithstanding any law to the contrary, such fee may be assessed by the lender against the mortgagor as a permitted loan charge. The authority shall segregate those fees into a special reserve account subject to withdrawal, to the extent that those reserves are available, to discharge any of the authority's guarantee liabilities or personnel and administrative expenses.

204-E:12 Liquidation of the Security. Any amount derived through liquidation of the security for the mortgage loan by whatever means shall be applied to the outstanding indebtedness for costs of foreclosure and interest, reduction of principal due on the loan in any manner the authority determines to be in its best interest, except that the authority may agree to assume part or all of the costs of foreclosure, or accrued interest, and may allow reimbursement for taxes paid which are a lien prior to the mortgage. The authority may request the holder of the guarantee to liquidate the security by foreclosure, and the superior court shall, upon request of the mortgagee or the board, order liquidation of the security through a sale under its direction.

204-E:13 Guarantee; Credit of State Pledged.

I. The full faith and credit of the state is pledged to support and redeem the certificates of guarantee issued by the authority. In furtherance of that pledge, the state treasurer shall advance to the authority, without further approval, from available cash in the treasury or from proceeds of bonds or notes of the state issued pursuant to this chapter, such amounts as may be requested from time to time by the board to enable it to perform all guarantee obligations punctually and in accordance with their terms. The authority shall request such advances from time to time as additional amounts are required for that purpose. The treasurer shall, without further approval, issue full faith and credit bonds of the state from time to time in amounts equal to advances made under this chapter, and borrow in anticipation of the proceeds of those bonds.

II. Nothing in paragraph I shall be interpreted as authorizing the treasurer to issue general obligation bonds to create or maintain reserves for the authority, and no such action shall be taken without specific authorization by the general court.

III. The authority shall, to the extent that funds are available, reimburse the state treasury for any payments made by the state in support of claims against authority guarantees. The authority shall make such reimbursement out of current revenues to the extent that such revenues are not required to pay current outstanding claims or operating expenses.

204-E:14 Limitations on Guarantees. Prior to issuing any guarantee on any loan under this chapter, the authority shall first determine whether the amount of such guarantee as of its proposed date of issuance, when combined with the aggregate outstanding guarantee liability on all existing guarantees, shall not exceed \$75,000,000.

204-E:15 Exemption from Taxation. The authority shall not be required to pay taxes or assessments upon its activities.

204-E:16 Rulemaking. The authority may adopt rules, pursuant to its own procedures, relative to:

I. The conduct of its business.

II. The selection and maintenance of eligible lenders.

III. Eligibility requirements for issuance of certificates of guarantees, including income limits for purchasers of property to be the subject of such guarantees.

IV. A schedule of fees and charges to be charged for the issuance of certificates of guarantee or other services.

V. Procedures for the orderly payment of claims made against the authority under its guarantee liability.

VI. Such other matters as are necessary to carry out the powers and duties of the authority.

204-E:17 Annual Reports. The authority shall, promptly following the close of each fiscal year, submit an annual report of its activities for the preceding year to the governor and council and to each house of the general court. Each such report shall set forth a complete operating and financial statement of the authority during such year. The authority shall cause an audit of its books and accounts to be made at least once in each fiscal year by the commissioner of administrative services or his designated representative.

204-E:18 Relation to Other Agencies. The financial and administrative operations of the authority shall be exempt from the rules of any department, commission, board, bureau or agency of the state except to the extent and in the manner provided in this chapter.

204-E:19 Exemption from Administrative Procedure Act. The authority shall be exempt from the provisions of RSA 541-A and may adopt rules in accordance with its own procedures. The authority shall file in the office of legislative services a copy of all rules adopted by the authority or the amendment or repeal of any rule adopted by the authority within 7 days of such adoption, amendment, or repeal.

204-E:20 Severability. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or applications, and to this end the provisions of this chapter are severable.

204-E:21 Inconsistent Provisions in Other Laws Superseded. Insofar as the provisions of this chapter are inconsistent with the provisions of any other law, general or special, the provisions of this chapter shall be controlling.

3 Reference Added. Amend RSA 99-D:2 to read as follows:

99-D:2 Defense and Indemnification. If any claim is made or any civil action is commenced against a present or former officer, trustee, official or employee of the state or any agency thereof, including members of the New Hampshire national guard and any justice of the district, municipal, probate, superior or supreme court, or the clerks thereof, or any harbor master appointed by the New Hampshire port authority, or officials and employees of the New Hampshire housing finance authority **or the New Hampshire mortgage guarantee authority**, seeking equitable relief or claiming damages for the negligent or wrongful acts and the officer, trustee, official, or employee requests the state to provide representation for him, and the attorney general, or, in the case of a claim or civil action commenced against the attorney general, the governor and council, determines that the acts complained of were committed by the officer, trustee, official, or employee while acting within the scope of official duty for the state and that such acts were not wanton or reckless, the attorney general shall represent and defend such person with respect to such claim or throughout such action, or shall retain outside counsel to represent or defend such person, and the state shall defray all costs of such representation or defense, to be paid from funds not otherwise appropriated. In such case the state shall also protect, indemnify, and hold harmless such person from any costs, damages, awards, judgments or settlements arising from the claim or suit. The attorney general or governor and council shall not be required to consider the request of such person that representation be provided for him unless within 7 days of the time such person is served with any summons, complaint, process, notice, demand, or pleading he shall deliver the original or a copy thereof to the attorney general or, in the case of an action against the attorney general, to the governor and council. As a condition to the continued representation by the attorney general and to the obligation of the state to indemnify and hold harmless, such officer, trustee, official, or employee shall cooperate with the attorney general in the defense of such claim or civil action. No property either real or personal of the state of New Hampshire shall be subject to attachment or execu-

tion to secure payment of or to satisfy any obligations of the state created under this chapter. Upon the entry of final judgment in any action brought under this chapter, the governor shall draw his warrant for said payment out of any money in the treasury not otherwise appropriated, and said sums are hereby appropriated. The attorney general shall have the authority to settle any claim brought under this chapter by compromise and the amount of any such settlement shall be paid as if the amount were awarded as a judgment under this chapter. Indemnification by the state under this section shall be for the actual amount of costs, damages, awards, judgments, or settlements personally incurred by any such officer, trustee, official, or employee, and the state shall not pay any amounts for which payment is the obligation of any insurance carrier or company under a policy or policies of insurance or of any other third party under a similar obligation.

4 Effective Date. This act shall take effect 60 days after its passage.

Floor Amendment adopted. Ordered to Third Reading.

SB 158-FN, relative to the sale of a mobile home park. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: SB 158, for all intents and purposes without one specific section which I will address later, merely clarifies the original law that we passed that dealt with the sale of mobile home parks. It provides for a 60 day notice period which is what the existing law says. However, there was some confusion whether or not the sale had to be consummated during that 60 day period. What we have done with this piece of legislation is clarify that. The 60 day notice period shall include an offer or an intent to purchase by the tenants of a park and then a reasonable time after that in which to consummate the sale. The second portion of what we've done in the part that has been a little bit more controversial than what I just spoke about is, there is a provision in the existing law that provides for a fine of \$10,000, or 10% of the purchase price, as a fine to any owner of a mobile home park who sells the park without notice to the tenants. We had a situation where a park was sold and rather than abiding by the notification provisions of the existing law the park owner saw fit to just send a check to each one of the tenants of the park as their share of the \$10,000 fine. So what we have done with this piece of legislation is we have made the fine \$10,000 or 10% of the sale price of the park, whichever is greater. It just made it a little bit punitive. I'm sorry that I have to be here today with that. We had assumed when we passed the original law that park owners

would in good faith provide that notice but unfortunately it has not happened. So I would urge the adoption of the amendment.

SENATOR TORR: Senator Dupont, do you feel this resolution solves the problem of manufactured housing tenants.

SENATOR DUPONT: Coming from a community like Rochester, which has opened its doors to mobile home parks that has not happened state wide, we would not need this legislation if local zoning allowed people the ability to put mobile homes where they so chose.

AMENDMENT TO SB 158-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the sale of a manufactured housing park.

Amend the bill by replacing section 1 with the following:

1 Notice Required Before Sale. Amend RSA 205-A:21 to read as follows:

205-A:21 Notice Required Before Sale.

I. No manufactured housing park owner shall make a final unconditional acceptance of any offer for the sale or transfer of a manufactured housing park without first giving 60 days' notice to each tenant:

(a) That the owner intends to sell the manufactured housing park[.]; and

(b) Of the price, terms and conditions of an acceptable offer he has received to sell the park or the price, terms and conditions for which he intends to sell the park. **This notice shall include a copy of the written offer or other document which sets forth a description of the property to be purchased and the price, terms and conditions of the acceptable offer.**

II. During the notice period required under paragraph I, the manufactured housing park owner shall consider any offer received from the tenants or a tenants' association, if any, and the owner shall negotiate in good faith with the tenants concerning a potential purchase. **If during the notice period, the tenants decide to make an offer to purchase the manufactured housing park, such offer shall be evidenced by a purchase and sale agreement; however, the tenants shall have a reasonable time beyond the 60-day period, if necessary, to obtain financing for the purchase.**

III. The notice required by paragraph I shall be served by certified mail, return receipt requested, to each tenant at his abode. A receipt from the United States Postal Service that is signed by any

adult member of the household to which it was mailed, or a notation on the letter that the letter was refused by any adult member of the tenant household, or that the addressee no longer resides there, or that the letter was returned to the post office unclaimed, shall constitute a conclusive presumption that service was made in any court action in this state.

Amend the bill by replacing section 2 with the following:

2 Penalties. Amend RSA 205-A:22 to read as follows:

205-A:22 Penalty.

I. The owner of a manufactured housing park who sells or transfers [the] a park [without complying] **and willfully fails to comply** with RSA 205-A:21 shall be liable to the tenants in the amount of \$10,000 or 10 percent of the [amount realized by the seller after all liens on the property existing at the time of sale were satisfied] **total sales price**. The total of damages to all tenants, in the aggregate, shall not exceed \$10,000 or 10 percent, whichever is greater, of the [amount realized by the seller after all liens on the property existing at the time of sale were satisfied] **total sales price**. [Such an amount shall be shared equally by tenants who were not notified.] This civil penalty shall constitute the sole and exclusive remedy for violation of RSA 205-A:21 and the failure by a park owner to comply with said section shall not affect the validity of any sale or transfer of title nor shall such noncompliance constitute grounds to set aside a sale or transfer in any court proceedings. Nothing in this section shall be deemed to permit a tenant to attach the real estate for the penalty established by this section.

II. **Lack of knowledge of this section by a park owner shall not be deemed to be a defense to an action for damages based on failure to comply with RSA 205-A:21, I.**

AMENDED ANALYSIS

This bill grants tenants a reasonable time to procure financing where such tenants make an offer to purchase a manufactured housing park within the 60 days after the owner has notified the tenants of his intent to sell.

The bill also bases penalties for violating the notice requirement on a percentage of the total sales price of the park rather than on the gain realized by the seller.

Amendment adopted. Ordered to Third Reading.

SB 187-FN-A, relative to drug and alcohol abuse treatment at the New Hampshire state prison and making an appropriation therefor. Ought to Pass with Amendment. Senator Dupont for the Committee

SENATOR DUPONT: SB 187 does not appropriate any general fund monies. It provides for the use of resources from the drug forfeiture fund. It also provides for the use of some federal monies. Basically, we obviously have a number of offenders in the state prison. We need to beef up the services that are delivered to rehabilitate these individuals and basically this is tapping a funding source that will allow us to do that.

AMENDMENT TO SB 187-FN-A

Amend the bill by replacing all after the enacting clause with the following:

1 Findings and Purpose. The department of corrections estimates that 86 percent of the 991 inmates at the New Hampshire state prison have a drug or alcohol related problem. Currently, the prison has only 2 certified drug and alcohol counselors and 3 drug and alcohol programs which are filled to capacity and have waiting lists. Therefore, the legislature recognizes that there is a need for the department of corrections to develop an additional drug and alcohol abuse treatment programs, including but not limited to residential services.

2 New Paragraph; Duties of Commissioner; Drug and Alcohol Abuse Treatment Programs. Amend RSA 21-H:8 by inserting after paragraph XI-a the following new paragraph:

XI-b. The commissioner shall develop, establish, and coordinate a comprehensive drug and alcohol abuse treatment program.

3 Drug Forfeiture Money Distribution. Amend RSA 318-B:17-b, IV(b) to read as follows:

(b) Of any balance remaining:

(1) Ten percent shall be deposited in the manner prescribed in subparagraph IV(a)(2) of this section[; and].

(2) [Ninety] **Forty** percent shall be deposited in the manner prescribed in subparagraph IV(a)(3) of this section.

(3) Fifty percent shall be credited to the department of corrections up to the amount needed to fund state appropriations for drug and alcohol abuse treatment programs for prisoners. Any amount not needed to fund such appropriations shall be deposited in the manner prescribed in subparagraph IV(a)(3) of this section.

4 Appropriation; Department of Corrections.

I. The sum of \$1 is appropriated for the fiscal year ending June 30, 1990, and the sum of \$396,277 is appropriated for the fiscal year ending June 30, 1991, to the department of corrections to establish a comprehensive drug and alcohol abuse treatment program. The

sums appropriated shall be used to pay all costs of the program, including but not limited to the use of the vacated old minimum security unit building to operate as a residential component of the program, equipment, furnishings and operational costs to accommodate 40 residents. The funds shall also be used to hire the following staff:

- (a) One unit manager.
- (b) Six correctional officers, one of whom shall be a sergeant and one of whom shall be a corporal.
- (c) One secretary/typist II.
- (d) One part-time psychologist.
- (e) Four certified drug and alcohol counselors.
- (f) One psychiatric social worker.

II. The source of funding for the appropriations in paragraph I shall be as follows:

(a) The appropriation for each fiscal year shall be funded from moneys received from drug forfeitures, under RSA 318-B:17-b, IV(c), up to the amount of funds available from this source as well as money received from other sources, including but not limited to, other agencies, the federal government or public or private grants. For fiscal year 1990, the office of alcohol and drug abuse prevention shall transfer, from its funding sources to that of the department of corrections, the sum of \$150,000 for the purpose of partially funding the department of corrections drug and alcohol abuse program.

(b) As a last resort for funding and after the department of corrections certifies that other funding possibilities have been exhausted, the remainder of the appropriations for fiscal year 1991 only shall be from the general fund, but only upon approval of the fiscal committee and governor and council to expend funds not otherwise appropriated. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

5 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill appropriates funds, partially from the drug forfeiture fund, partially from other sources, and as a last resort from the general fund, to the department of corrections for the establishment of a new comprehensive alcohol and drug abuse treatment program at the New Hampshire state prison.

Amendment adopted. Ordered to Third Reading.

SB 198-FN, repealing the anti-CWIP law. Interim Study. Senator Podles for the Committee.

SENATOR PODLES: SB 198 is repealing the anti-CWIP law which is the construction work in progress. It needs further study. We urge your support.

Adopted.

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality. Ought to Pass with Amendment. Senator Charbonneau for the Committee.

SENATOR CHARBONNEAU: SB 98 is amended on page 12, but I am going to condense it. This legislation addresses the situation where an applicant proposes to develop contiguous land which is located in more than one municipality. Current law makes no provision for that situation. And, when it arises the applicant often finds himself shuttling back and forth from one municipality's land use board to the next. One town or city may not wish to act until the applicant has received approval from the other and when both municipalities take that position, the applicant can be caught in a nightmarish catch 22. The bill allows the applicant to petition the land use boards of each municipality to hold joint meetings or hearings on that proposal. The boards of each municipality remain responsible for applying their own zoning and land use regulation and may meet separately to confer and take final action. The bill also spells out under what circumstances the applicant may chose to treat the entire parcel as a single lot or alternatively may treat the municipal boundary as a division of the land for purposes of that application. Such legislation necessarily raises a number of issues and further refinement of some of the wording may well be required. The New Hampshire Municipal Association has endorsed the thrust of this bill and has pledged to work with the interested groups to make sure that this important legislation becomes law.

AMENDMENT TO SB 98

Amend the bill by replacing section 1 with the following:

1 Contiguous Land in More than One Municipality. Amend RSA 674 by inserting after section 52 the following new section:

674:53 Land Affected by Municipal Boundaries.

I. An owner of contiguous land which is located in more than one municipality may treat a municipal boundary line as an existing boundary between lots, tracts, sites or other divisions of land for purposes of this title unless the existing or proposed use of land or arrangement of structures in one of the municipalities requires and is dependent upon land or improvements located in the other municipi-

pality or municipalities in order to fulfill the land use ordinances or regulations of the first municipality with respect to such matters as lot size, density, frontage, uses or accessory uses, set-backs or access, or in order to comply with applicable state or federal regulations.

II. Upon receipts or an application for a permit or approval under this title for the subdivision, development, or change of use of a lot, tract, site or other division of land whose boundary or portion thereof is a municipal boundary line, a municipality shall inquire in writing to the appropriate administrative officials in the adjoining municipality or municipalities as to the existence of facts which, under paragraph I, would preclude such subdivision, development, or change of use. Response shall be made to such inquiries within the period provided by this title for approval or disapproval of the underlying application. A response which invokes an ordinance or regulation of such adjoining municipality may be appealed in that adjoining municipality in the same manner as any other administrative decision.

III. An owner of contiguous land in more than one municipality may treat such contiguous land as a single lot, tract, site, or other division of land for purposes of this title, notwithstanding the municipal boundary line, provided that:

(a) All uses of land, buildings, or structures shall comply with the regulations or ordinances of the municipality in which they are located.

(b) When an owner has fulfilled or proposes to fulfill the requirements of one municipality, through the inclusion of land or improvements located in an adjoining municipality, such owner or his successors shall not thereafter use that land or those improvements in a manner such that those requirements of the first municipality are no longer fulfilled. This paragraph may be enforced by the municipality whose requirements are to be fulfilled.

IV. No plat or plan showing land or streets in more than one municipality in the state shall be deemed approved for purposes of this title unless it has been approved by the planning boards of all included municipalities in which the planning board has been granted authority over approval of that type of plat or plan.

V. With respect to a proposal for the use of contiguous land in more than one municipality:

(a) The fact that a lot, tract, or site straddles a municipal boundary, or that the requirements of one municipality are proposed to be fulfilled by the use of land or improvements in an adjoining municipality, shall not be the sole grounds for disapproval of any application.

(b) A planning board may waive or vary its regulations with respect to access or interior roads in order to provide better harmony with the regulations of an adjoining municipality, whenever strict compliance would be unreasonable in light of the overall design of a proposal.

VI. When local land use boards from more than one municipality have jurisdiction over a proposed use, subdivision, or development of property:

(a) The applicant may petition the respective local land use boards of each such municipality to proceed with the application on a joint basis, and upon such petition, joint hearings or meetings shall be held throughout the application process. However, each board may meet separately to confer and take final action upon the application, but may not condition final approval upon the receipt of information not previously requested at a joint hearing or meeting.

(b) Each involved land use board may appoint not fewer than 3 of its members to attend the joint hearing or meeting. Such members shall have the authority of the full board over that application. In the alternative, the full board may attend the joint hearing or meeting. Each land use board shall be responsible for rendering a decision on the subject matter within its jurisdiction.

(c) The board members present at such a joint meeting or hearing shall select an interim chairman from among such members, who shall prescribe rules of procedure, subject to alteration by the members present, but consistent with RSA 676.

VII. Whenever a subdivision plat or site plan submitted to a planning board includes land whose only maintained public highway access to the Class I and II highway system is via a Class IV or V highway maintained by another municipality in the state, the local governing body and planning board, if any, of that other municipality shall be deemed "abutters" for purposes of notice under RSA 676:4. A planning board may, by regulation, set forth additional circumstances in which notice to adjoining municipalities is required. A planning board, in determining whether an application satisfies its regulations, may consider the effect of the proposal on adjoining municipalities.

AMENDED ANALYSIS

This bill adds provisions to the local planning and regulatory powers of municipalities to deal with contiguous land which is located in more than one municipality. The bill addresses the problems of municipal boundary lines, approval of subdivisions, developments

and lot uses, plats or plans showing land or streets in more than one municipality, joint meetings of local land use boards from more than one municipality.

The bill also requires planning boards to give notice under RSA 676:4, to certain municipalities who are abutters.

Amendment adopted. Ordered to Third Reading.

SB 128, relative to subdivision approval by planning boards. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: SB 128 authorizes planning boards to give their professional staff members the authority to approve minor subdivisions. Normally we are talking about 3 lots or less. It also provides protection for the abutters who will get full notice and if one of them requests in writing that a public hearing be held, a public hearing will be held. We recommend ought to pass.

AMENDMENT TO SB 128

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Delegation of Approval of Minor Subdivisions. Amend RSA 676:4 by inserting after paragraph III the following new paragraph:

III-a. A planning board may, by adopting regulations, delegate its power to approve or disapprove plats involving minor subdivisions which create not more than 3 lots to its professional staff, or if there is no such staff, to the chairman of the planning board; provided, however, that each lot in the proposed subdivision shall meet or exceed all municipal zoning and subdivision regulations. The regulations may allow simultaneous submission, review, and approval or disapproval of such plats, but no application may be approved without the full notice to abutters and public required under subparagraph I(d). A hearing, with notice as provided in subparagraph I(d), shall be held if requested in writing by any abutter within 10 days of receipt of the notice. The decision to approve or disapprove an application under this paragraph may be appealed to the full planning board only upon written notice of appeal filed within 20 days of the decision, and in the absence of such notice of appeal the approval or disapproval shall have the same force and effect as a decision of the full planning board.

AMENDED ANALYSIS

This bill authorizes planning boards to give their professional staff members, or if there is no staff, the chairman of the planning board,

the power to approve or disapprove the subdivision of certain tracts of land without a hearing and meeting of the full planning board on the proposed subdivision. In order for a subdivision to be approved by the staff or chairman, each lot in the proposed subdivision must meet all municipal zoning and subdivision regulations. Amendment adopted. Ordered to Third Reading.

SB 143, relative to the sale of customer lists by a public utility. Inexpedient to Legislate. Senator Bass for the Committee

SENATOR BASS: Although the committee feels that the intent of the bill is applaudable there was a feeling that the bill doesn't really solve the problems that exist. This whole issue came up as a result of a mailing that went out with bills from the telephone company last fall allowing customers to withhold their names from the mailing list should the telephone company decide to sell the names that are readily available in the directory. Since that time, the phone company has brought this matter to the Public Utilities Commission and placed it on the table, and in fact, this week they notified the Public Utilities Commission that they do not plan to proceed with this effort that they were involved in last fall. The fact is the bill supposedly places a restriction on one sector of the industry to be completely excluded of everybody else in the industry that may be in the position to use these names. It is commonly known and understood that anybody can get a telephone book, computerize the contents and sort it any way they choose to. But yet it eliminates the company that manufactures and produces the phone book from doing that. The fact is there is a bigger issue involved here in this whole area and that is the value and the rights that any individual has or a consumer has to have his or her name sold without his or her permission. And it was the feeling of the committee that this whole issue ought to be brought up as one issue and dealt with and not in this piecemeal fashion. Therefore, we urge you to support the majority of the committee to deal fairly with the direct mail industry and not segregate one particular company or group of people out of that and support our motion of inexpedient.

Senator Johnson moved to substitute ought to pass for the committee report.

SENATOR JOHNSON: SB 143 is a very simple bill. The issues have been complicated by the lobbyists. But this is a very simple bill. The focus is on New Hampshire Public Utilities which enjoy a monopoly franchise to provide certain services to their customers. SB 143 permits a public utility to sell customer lists only after they have gotten

their customer's prior written consent. And I ask you what could be more fair or what could be more reasonable to both the customer and the public utility? I intend to provide the Senate with the evidence to make an informed vote this afternoon. Several Senators have asked for this. Many of you have been subjected to what might be called a full court press and now I am going to take a page from Paul Harvey and give you the rest of the story.

This bill is necessary to close the door on any further clever attempts by New England Telephone to sell your name and your constituent's name to a telemarketing company or any other buyer unless and until they get your prior written permission. Today was the latest clever attempt by New England Telephone to undermine this legislation. Make no mistakes, your personal privacy is under continuous assault. We cannot protect ourselves on every front, but by passing SB 143 we can prevent a New Hampshire public utility from aiding and abetting a further invasion of our privacy with more unwanted junk telephone calls and junk mail. SB 143 was clearly prompted by the action of New England Telephone Company, but it applies to all public utilities. I find it interesting that only the telephone companies objected to this bill. Public Service of New Hampshire, Concord Electric - none of these utilities objected to this bill. Attorney and legislative agent Dom D'Ambruso represents the Association of New Hampshire Utilities and the New Hampshire Telephone Association. But at the committee hearing he testified only on behalf of the telephone companies. I think it is fair to infer that the Utility Association does not object to SB 143. New England Telephone seems to be having difficulty in making up its mind on this issue. And I think it is important for you to understand some of the background. And I am going to walk you through some of the correspondence that I have had access to.

The first letter is dated August 26, 1988 and this is what I call the arrogance letter. And what I mean by that it's from New England Telephone to the Public Utilities Commissioner. It says "Dear Chairman Iacopino: This letter is to inform you of New England Telephone's plans" - inform you - and they go on to say that as a result of an increasing number of requests for listed information for non-directory related purposes, e.g. direct mail and telemarketing, the company has decided to change its policy and pro actively market the provisions of the listings. On September 28, 1988, the Public Utilities Commission Commission issued Order No. 19-188 which authorizes New England Telephone Company to proceed with the marketing of their white pages, but with a series of ten conditions and limitations. I refer to that order as the "not so fast." On October 14,

1988, New England Telephone to the Public Utilities Commission-filing a motion for reconsideration - vacating and stay or rehearing with respect to order number 19-188. And I quote from that letter "New England Telephone specifically complains that not having been afforded the opportunity for a hearing it has been denied due process." It never asked for the due process in the first place and now they're complaining because they didn't get it. I refer to their complaint about the absence of due process as their foul letter. On October 19, the consumer advocate made his own comments about that and went on to talk about the fact that the real intent and, let me quote that from the consumer advocate, he pointed out that New England Telephone "regularly requests permission from this commission to implement tariffs without a hearing and without meeting the usual filing requirements" He goes on to say "New England Telephone's real complaint is not that it was denied a hearing but that order 19-188 allows them to market only that information currently available in the white pages. A hearing would have required them to disclose the amount of information they possess and their true intentions." On October 26, the Public Utilities Commission issued order 19-210 to New England Telephone and scheduled a hearing for November 13 as requested by the New England Telephone. Then on November 7, 1988, New England Telephone wrote a letter to the Public Utilities Commission requesting that the scheduled hearing be indefinitely postponed. And I refer to that as "I changed my mind letter." Some weeks later, I realized that New England Telephone just fell back and regrouped. And thus I began drafting SB 143. I sought and received the help and cooperation from the executive director of the Public Utilities Commission in drafting the bill. I also discussed the bill personally and in detail with commissioners Bisson and Elsworth. As a matter of fact, I have here a note from Commissioner Bisson who forwarded all the information I just relayed to you. It came from the commissioner. I also call your attention to a letter I received on January 3, 1989 from the executive director of the Public Utilities Commission in which he made recommended changes to the draft that we sent over. Those changes were incorporated. On January 6, 1989 I forwarded a copy of SB 143 to the Commissioners and asked them for any comments they might have.

Last September, when New England Telephone proceeded with its ill-fated attempt to claim the customer's permission to sell his name by not getting the customer's permission, the few people who realized what was being done were outraged. Permit me to quote from some of the customer complaints. From Senator Bartlett's district, a customer says the customer's concerned with the list being used by telemarketers, gets enough aided calls now — wants his name added

to the mailing list to appear at the Public Utilities Commission hearings. From Manchester, customer wants to know if Public Utilities Commission allowed New England Telephone's selling of the list. She disapproves of it. She owns a small business and doesn't want to be bothered with calls. Another from Manchester does not think New England Telephone should have the right since we don't have a choice of companies. She has to pay for her phone and doesn't think they should sell her list. From Nashua, customer is complaining that the selling of lists is an invasion of privacy - wants an injunction to stop it. Telemarketers are peddlers and must be licensed in each town like peddlers. Customer complaining about the list being used for telemarketing. Customer concerned with leaving himself open to telemarketers and can see the elderly having a problem with the telemarketers. Another from Manchester, customer concerned with her right to privacy. Elderly people need their telephones and telemarketing does not allow you to use the phone, paying for private phones and New England Telephone should not sell the list. Would sue. Fellow senators, this is a customer that would sue if New England Telephone sells the list. From Windham, customer does not want the name on the list. Thinks New England Telephone should have people send in a card. Here's a letter from Senator Torr's district "this letter is to record my strong protest of the plans by New England Telephone Company to market and sell lists of its customers and addresses to telemarketing firms, I think this represents a severe invasion of privacy and strongly object to this sale." And I think you get the point from the constituents. I received a letter from the Public Utilities Commission a few days ago in answer to a couple of questions that I raised. The letter states "3 or 4 complaints on a particular matter could indicate substantial concern among utility customers. I consider the approximately 20 telephone calls and letters we received in this regard to be unusually high and could indicate broad based public concern regarding the sale of customer information." On January 10, at the Center of New Hampshire, I spoke to Richard Higgins, a senior New England Telephone official, to tell him about the pending bill. He already knew about it and said, and I quote from this senior official, "we don't have any problem with that". A week later the New England Telephone lobbyist told me that was not the company position. That's at least the second change now. At least two newspapers wrote editorials in support of SB 143. The headline in a Foster's Daily Democrat, February 3, 1989 reads "The sale of privacy" and it goes on to say the New Hampshire consumers pay their telephone companies-primarily New England Telephone-for a service. The service for which they pay is telecommunication. If we read the character of New Hampshire residents correctly, they are not interested in paying New En-

gland Telephone or any other regulated monopoly for the service of having their post offices stuffed with personalized junk mail. The editorial goes on to refute the arguments offered by the lobbyists from New England Telephone, Senator Dupont's recommendation for additional study and also represented Susan Spear's arguments. In conclusion, the editorial says "the state in the broad meaning is often accused of intruding in the lives of the people for whom it is meant to serve. Senator Johnson's bill to prohibit the telephone companies sale of subscriber information without the written consent of those subscribers protects the public from clearly unwarranted private intrusion and it should be passed without delay." Needless to say I agree with that comment. A few days later, the Union Leader in an editorial February 6 labeled theirs "None of their business" and it concludes by asking the question "Why doesn't New England Telephone take an honest yes/no poll to determine whether its customers approve of this huckstering of personal information?" New England telephone testimony at the hearing included SB 143, and I am quoting, "is an attempt to put restrictions on a utility as to the manner in which a public utility would be able to market consumer listing information." and that is certainly true. The only restriction is that before the utility sells the customer's name and related personal data they must get the customer's permission. Again, fellow Senators, what could be more fair, what could be more reasonable? Other testimony from New England Telephone, "also it is extremely unfair to a public utility to be singled out to such a restriction while other list providers would not be restricted." This is probably the most specious argument offered. It says that this public utility resents being treated like a public utility. It wants to be considered like any other private company. Remember the arrogance letter, this letter is to inform you. Let me now show you what New England Telephone really wants to go beyond the information contained in the telephone directories and this is probably the key part of the testimony here. Public Utilities Commission order 19-188 gave New England Telephone that authority. They had the authority to use the white page information. But they were not satisfied. Remember their motion for a rehearing. Again at the committee hearing, New England Telephone stated in reference to SB 143 restrictions "this seems inappropriate since an individual's name, etc. is information that's publicly available in the directories." If that is all they wanted to sell, they had that authority with Public Utilities Commission order 19-188. Clearly, New England Telephone wants to sell more than the white page information and again let me quote from the February 15th letter, I am going to waive that now because I have taken a lot of your time here, but during the hearing the one message that I got was the equivalent of the teenage argument "Every

one else is doing it, so why can't I?". Let me give you the Warner Cable Communications subscriber privacy notice. And I am going to point out to you now what a responsible utility policy is. Warner Cable Communication was the first cable television operator to develop a code of privacy to safeguard the confidentiality of the subscriber information. They don't want to sell it. They go on to say "we keep regular business records that contain the subscribers name and a lot of other information, but we use such information only for legitimate business activities related to the provision of services over our cable system. Under the federal law, unless the cable operator obtains the subscribers consent in advance in writing or electronically (and that is what we are asking for in this bill), it may not use the cable system to collect that personal information. Let me get to the bottom line, and I'm sure you have all been waiting for this. This bill simply says to any utility if you want to sell your customer's name and related personal data get their written permission first. I will close with a quote from a Dear Abby column dated January 25, 1989 in which she is discussing unwanted telephone solicitation "Dear Researcher: Sorry I stand by my original opinion. Telephoning the general public either to sell something or to gather information for whatever purpose is an invasion of their privacy and should be abolished. Furthermore, my mail is running 100 to 1 in favor of my view. So sue me." So here's a bill where a 100 to 1 of your constituents are in favor of. Fellow Senators, on Tuesday of last week, the voice of "We the People" was heard in the halls of Congress and an unwarranted pay raise was defeated by "We the People." The voices of the people who are aware of this issue came through loud and clear in favor of this bill. I submit to you that this is an opportunity to vote the public interest and reject the special interest. I urge you to vote in favor of ought to pass.

SENATOR FREESE: I'll be brief. I've got four points to make on this proposed legislation. The first would be that I believe it is purely discriminatory. The second one is that when that letter was received, and I happened to have been home and opened that letter last September or October, there was a slip in there which was accompanying the letter which specifically asked you to send it back if you did not want your name on the list for sale. I believe voting for this bill will have no effect on these unwanted telephone calls and I urge you to support the majority report of inexpedient to legislate.

SENATOR STEPHEN: Senator Johnson, I was listening to your speech and there were some points that I don't understand and

maybe you could explain to me. Isn't it true that if you wish not to keep your name in the telephone book, all you have to do is request it and it is an unlisted number.

SENATOR JOHNSON: Senator Stephen, the card that Senator Freese referred to was indeed in our telephone bills and I was one of the few people who discovered that. But I would say at least 95% of the public did not see it, tossed it away or did not understand it. So clearly, the customer was not giving an informed consent in that action.

SENATOR STEPHEN: But isn't it true that you can ask for it to be unlisted and not published and isn't it a help if you need a list of names to go to the phone book. I know in my business we have used the telephone list and went through the names and the numbers and addresses. Isn't that helpful?

SENATOR JOHNSON: Senator Stephen, it might be helpful to you but the question presumes that the public was aware of the impact of what was happening. The fact of the matter is that at least 95% of the public was unaware of that so they did not give their informed consent. And all this bill does, Senator Stephen, is it permits the utilities to sell their lists. All they have to do is get their customer's permission. It is a very simple bill.

SENATOR DUPONT: I would first like to applaud Senator Johnson's effort on this issue, because I know how hard he has worked and I agree with the Senator. I don't think it is appropriate for the phone company to make its list available. I would just like to point out a couple of things. And the first one is what we are talking about today is what is in the white pages of the phone book. If you have a phone book in your house you all ready have this information. So you are not going to be buying anything from the phone company that isn't already publicly available. And if you don't want your name in the phone book, then you request an unlisted phone number and it doesn't appear in the phone book. I agree with Senator Johnson. I think the phone company should have sent out a letter that said if you want your name on a telemarketing list you send the card back in. If you don't want your name on the telemarketing list then you don't have to send the card back in and it could have simplified the problem in a manner that I think would have made all of us comfortable with. I personally made my concerns known to the phone company and I think they have heard the message. My concern with this bill, and Senator Freese mentioned a couple of them, is if your constituents think that by the passage of this bill they are not going to

get any more phone calls from telemarketing companies then you are mistaken and they are mistaken. If you all remember back to when you ran that campaign and you talked to a company that sells mailing lists they said to you; do you want the left side of the street, the right side of the street, do you want phone numbers, do you want to know what kind of cars these people drive? There are companies out there that have lists that are far more complete in terms of information than what is going to be received from the phone company. I was told by the phone company, and I am not sure if Senator Johnson is aware of this, is that the primary reason for people requesting the phone company list was to cross reference with existing lists out there to correct phone numbers. And I certainly think that the phone company is going through a period of deregulation and somebody at the phone company saw an opportunity to start a little business on the mailing list side of their operation and I think I find fault with that because of the nature of the company, but I certainly don't think that we ought to be saying to them; you are doing something that is not all ready public information. That your constituents should be clear that the phone calls are going to continue. My concern today, as I stand up here, is the question, is this bill really necessary? I'll read a section of the bill that says that this subdivision should not prevent publication of a telephone directory of customers which shall include only information provided to the phone company. On one hand we are telling them that they can't make the list available and on the other hand we are telling them that they can continue to print their telephone directory. I have a letter which I made available to all of you which is addressed to Chairman Iacopino telling of the phone company's intention not to go forward with this. I think the telephone company has been a reasonable corporate citizen in the state of New Hampshire. I like to think that I can believe that when they make a statement like this and make it available that they are going to live up to their commitment. And, I feel reasonably comfortable that it is not their intent to go forward. On the bigger issue, I think the Senate has the responsibility, and I made this clear to the committee. I think there are some real abuses out there in the telemarketing field and I think this state particularly has not taken an initiative to provide the protection to our citizens. There are machines out there today that will dial numerically every phone in the city of Concord whether it is published or unpublished. Should we be concerned about that or should we be concerned about information that is already published information. So I applaud Senator Johnson's effort, I know how hard he has worked on this. I personally don't feel the bill is necessary. However, I think this is an area where the Senate and the legislature needs to take some action to make sure that if you are really concerned about preserving the pri-

vacy of our residents of this state and their own telecommunications privacy, if you want to look at it that way, that additional action is needed. This bill is not going to solve the problem that when you go home tonight that somebody's going to call you up wanting to sell you magazines whether this bill passes or not.

SENATOR BOND: Very briefly, I agree with Senator Dupont that we need to do something about telemarketing. The reason I'm a co-sponsor of this bill is because of constituents who were furious when they had to pay a quarter because the post card was oversized, to keep their name off the list when they were all ready being harassed too much. It was a negative approach that obviously backfired on the phone company. In my district as a practicing politician, I can tell you in the hinterlands the phone book does not give you your addresses. The list from the phone company does. If you look in the phone book, you'll find my name and my town, you won't find my address nor in anywhere except the city of Berlin will you find accurate addresses for people. So it does make a difference. My concern is that as a regulated public utility we have no other source to go to other than the phone company and one specific company in my district and it is taking advantage of their position and I think as an element of fairness that is why I support SB 143.

SENATOR NELSON: Senator Dupont, did you say that you received a letter saying that in fact this is not going to go forward?

SENATOR DUPONT: Senator, I have that letter and what it says is to the chairman of the Public Utilities Commission "Please be advised the New England Telephone and Telegraph Company does not intend to pro actively market customer listings in New Hampshire for non-directory purposes at present". It does not say it will not go ahead in the future, but at the present time the order that is at the Public Utilities Commission asking for a public hearing is cancelled by the phone company.

SENATOR NELSON: Senator Dupont, when the Department of Motor Vehicles, the Department of Safety and I give them all my information, do I have to fill out a card that tells me that the department of safety can send my name and sell it to everyone else and mind you my social security number and everything else they want over there?

SENATOR DUPONT: Senator, if you amended this bill to require every company or every government entity that presently has citizen information be required to have written permission before they

disclose a name or an address, I'll support the bill. But I think it is a false hope that this is going to address the concerns of your constituents. This bill is not going to do it and that is my point.

SENATOR CHARBONNEAU: Senator Johnson, is this also going to cover the whole region so that they will have all the states in their hand to send out?

SENATOR JOHNSON: Senator Charbonneau, at the Public Affairs committee hearing, the New England Telephone lobbyist testified that it was their goal - it was the goal of New England Telephone Company - to develop a regional list for sale. They want to get New Hampshire, and by the way, they have been stopped in Massachusetts. So what they really want to get is a regional list which, of course, will be more valuable and I would like to remind you that the list would contain such sorting by gender. The New England Telephone testified at the public hearing that their intention was to sort by gender and I think it would be doing a disservice to people when we allow a public utility enjoying a monopolistic franchise to take that confidential information and sort it out by gender and certainly Senator Dupont was fair when he said at present and I submit to you that this letter dated February 15th delivered at the last minute, is the latest clever attempt by New England Telephone to hold off what they are trying to achieve.

SENATOR NELSON: Senator Johnson, I understand what you are doing and you are most eloquent this afternoon but how do you justify the fact that you single out one utility company when in fact the Department of Safety, where we have to go and give our name and address, has the right to sell that and is doing that now. I would like you to answer that.

SENATOR JOHNSON: First off, we have not singled out one public utility. SB 143 addresses all public utilities in New Hampshire. Your second point deals with the Department of Safety, and for your information and for anybody else here, there was a House bill submitted that intended to address the Department of Safety's selling of their information. The sponsor did not have the opportunity to pursue that to its full extent, but definitely intends to address that issue in the next session. So I certainly do not condone, in any way, shape or form, the selling by the Department of Safety. But that should in no way be used as an argument to prevent public utilities from selling your confidential information to the highest bidder.

SENATOR NELSON: Senator Johnson, if I'm understanding you correctly even at the suggestion that a letter should be sent out with

permission granted yet the Department of Safety many people in the state - I didn't even know it myself until this happened - that the Department of Safety is selling these lists. Don't you think that we should be taking care of our own house, cleaning house here before we start cleaning the rest of the world?

SENATOR JOHNSON: Absolutely. And I am not here to justify or defend what the Department of Safety is doing. I object to it and if I offered an amendment to this bill, would you vote for it then Senator?

Question: Ought to Pass?

Roll Call requested by Senator Johnson.
Seconded by Senator Bond.

The following Senators voted yes: Bond, Disnard, Charbonneau, Poldes, Johnson, Preston and Krasker.

The following voted no: King, Heath, Freese, Hough, Dupont, Currier, Roberge, Blaisdell, Bass, Magee, Nelson, McLane, Stephen, Torr and Delahunty.

7 Yeas

15 Nays

Motion Failed.

Question: Inexpedient to Legislate.
Adopted.

SB 148, relating to imposing fines for cosmetology practice violations. Interim Study. Senator Bass for the Committee.

SENATOR BASS: This bill was introduced as a result of perceived problems which may exist with possible violations of practices in beauty parlors, especially near the borders of the state. There were significant problems in the drafting of the bill and what the effect of it will be and the power that might be delegated to the inspectors themselves. The committee recognizes that there may be a significant problem out there, but feels the bill needs substantial correction and work. So therefore, the committee urges you to vote interim study so that we can work on it further.

Adopted.

Senator Charbonneau wished to be recorded as taking Rule 42.

SB 166, relative to modifying planning board procedures on plats. Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: The committee, I believe, was unanimous on this. The bill eliminates the requirement that a planning board must specify what constitutes a completed application to invoke its jurisdiction and it sets a 90 day limit on the time that it takes the board to act on the application. The committee felt that that was very reasonable.

AMENDMENT TO SB 166

Amend the bill by replacing all after the enacting clause with the following:

1 Extension Limited. RSA 676:4, I(c) is repealed and reenacted to read as follows:

(c) The board shall begin formal consideration of the application within 30 days after submission of the completed application. The board shall act to approve or disapprove within 90 days after submission, subject to extension or waiver as provided in subparagraph (f). If the board does not act on the application within 90 days or within any extension or waiver as specified in this subparagraph, the application shall be deemed to have been approved and a certificate of the clerk of the municipality, as to the date of submission of the plat for approval and the board's failure to take action on it within such time, shall be issued on demand of the applicant and shall be sufficient for all purposes in lieu of the written endorsement or other evidence of approval required in RSA 676:18 or otherwise. Failure of the clerk of the municipality to issue the certificate shall constitute grounds for the superior court, upon petition of the applicant, to issue an order approving the application. The court may order the municipality to pay the applicant's reasonable costs, including attorney's fees, incurred in securing such order.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

The bill requires a planning board to approve or disapprove a plat within 90 days after it is submitted to the board. If the board does not act to approve or disapprove the plat in the specified time or within any extension or waiver, the application shall be approved, without requiring the applicant to appeal to superior court over the failure of the board to act.

Amendment adopted.

Senator Heath offered a floor amendment.

SENATOR HEATH: You should have a floor amendment before you. What this does is it says that if a project is denied and it is appealed and the court finds that the town had been invalid in its ordinance, that the project can go ahead at that point even if they change the ordinance in the meantime. Some towns have used this as a way to drag out a procedure and make it more expensive. And a vote for the amendment not only expedites some housing, but it should keep the price down a little bit.

Floor Amendment to SB 166

Amend the title of the bill by replacing it with the following:

AN ACT

relative to modifying planning board procedures on plats
and relative to invalid zoning ordinances and
appeals to the superior court.

Amend the bill by replacing section 4 with the following:

4 New Subdivision; Amendment of Invalid Ordinance Subsequent to Appeal. Amend RSA 677 by inserting after section 18 the following new subdivision:

Invalid Ordinances

677:19 Subsequent Amendment. Whenever an appeal to the superior court is initiated under this chapter and the court finds as a matter of law that the ordinance, or section thereof, upon which the local authority based its decision was invalid at the time such appeal was initiated, the court shall, upon request of the petitioner, issue an order approving the application notwithstanding the fact that the ordinance may have been amended to remove the invalidity subsequent to the initiation of the appeal.

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill eliminates the requirement that a planning board must specify what constitutes a completed application to invoke its jurisdiction to obtain approval of a plat.

The bill also requires a planning board to approve or disapprove a plat within 90 days after it is submitted to the board. If the board does not act to approve or disapprove the plat in the specified time, the application shall be approved, without requiring the applicant to appeal to superior court over the failure of the board to act.

The bill also permits the superior court, upon appeal, to issue an order approving an application when that application was denied based upon an ordinance which is subsequently held invalid by the court.

Floor Amendment adopted. Ordered to Third Reading.

SB 178, relative to campaign financing. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: I refer you to page 22 of the Senate calendar for the amendment. I'll tell you what this bill does and I'll tell you what it doesn't do. The bill, as amended, sets voluntary limits on campaign expenditures. It sets up a schedule of penalties for candidates who exceed those limitation. It creates an advisory committee to monitor the statutory spending limits and recommend changes in them. It institutes filing fees or higher filing fees in the submission of petitions if the candidate chooses to not abide by the voluntary spending limits.

What the bill does not do is institute any form of criminal penalties for violations of the act and it is not a mandatory program. What it is is a unique and, in my opinion, novel approach to dealing with what I believe to be one of the most significant political and social crisis facing this country today. And that is the explosion of the costs of campaigns in the 1980s. And the resulting domination of the process by people who are potential candidates who have money and have access to big money, to the exclusion of people who are qualified to run for office and have something to offer to our system and have a lot of ability and ambition, but cannot do so because they do not have the money to do it. This legislation is not new however, because the issue has been studied by the legislature now for four years and it really represents a wonderful opportunity for us to set up a framework and a process and most importantly to set up a standard and a standard which we here in New Hampshire enjoyed for 63 years, from 1915 to 1977, where we were able to elect good men and women from both parties to positions of power in this state without spending exorbitant amounts of money. Yes, in fact, this bill will make it possible for Senator Preston, Senator Nelson, for Senator Freese, Senator McLane or myself to run for office if we chose to do so. If you vote for this bill, you are not voting for anything you can't go back on or correct at a later date. You are setting up a process. The bill takes effect in 1989. We have an administrative implementation committee to study the limits. We have a legislative session to make any corrections that may come up, and I don't know of any at this point, but they may. And you can go home to your constituents and

you can say that you have done what you could as a policy maker to address the fact that campaign spending in this country and this state is absolutely out of control. So I urge you to support the 4-2 vote of the Public Affairs Committee and return this state to a 63 year old tradition that we have enjoyed here of encouraging good men and women to run for office. And set a course, potentially, here in New Hampshire that could be followed by the rest of the country.

AMENDMENT TO SB 178

Amend RSA 655:19 as inserted by section 2 of the bill by replacing it with the following:

655:19 Filing Fees. At the time of filing declarations of candidacy, each candidate for the following offices shall pay to the official with whom the declarations are filed the following filing fees:

I. For the offices of governor, United States senator, and representative to Congress, \$5,000.

II. For the office of executive councilor, \$500.

III. For the office of state senator, \$100.

IV. For the county offices, \$100.

V. For the office of state representative, \$25.

Amend RSA 655:20, II as inserted by section 4 of the bill by replacing it with the following:

II. Any person qualified to run for office who does not, pursuant to RSA 664:5-a, voluntarily accept the expenditure limitations set forth in RSA 664:5-b shall, in order to have his name printed on the primary ballot of any party, in addition to the filing fees prescribed in RSA 655:19, file with the appropriate official the requisite number of primary petitions made by members of the party, together with one written assent to candidacy.

Amend the bill by replacing all after section 6 with the following:

7 New Section; Political Contributions. Amend RSA 664 by inserting after section 4-a the following new section:

664:4-b Excess Campaign Contributions.

I. Campaign contributions received in excess of the candidate's expenditure limit shall not be used for personal expenses or transferred to any other candidate.

II. Such excess contributions may be used after a general or special election for fund raising activities and any other politically related activity sponsored by the candidate.

8 New Sections; Voluntary Limit on Campaign Expenditures. Amend RSA 664 by inserting after section 5 the following new sections:

664:5-a Limitations on Political Expenditures.

I. Any candidate may voluntarily agree to limit his campaign expenditures and those of his committee or committees, his party, and his immediate family on his behalf by filing an affidavit with the secretary of state.

II. The affidavit shall state that the candidate knows the voluntary expenditure limitations as set out in RSA 664:5-b and that he is voluntarily agreeing to limit his expenditures and those made on his behalf by his committee or committees, his party, and his immediate family to the amount set by law. The affidavit shall further state that the candidate does not condone and shall not solicit any independent expenditures made on behalf of his candidacy. The affidavit shall be sworn and subscribed to by the candidate and notarized.

III. Affidavits in compliance with this section shall be filed within 10 days after the date on which a candidate files his declaration of candidacy or is declared a write-in winner of a primary election.

664:5-b Political Expenditure Limitation Amounts.

I. Total expenditures by a candidate who voluntarily agrees to limit campaign expenditures as provided in RSA 664:5-a shall be as follows:

(a) For governor and United States senator:

(1) \$400,000 in a state primary election.

(2) \$400,000 in a state general election.

(b) For representative to Congress:

(1) \$200,000 in a state primary election.

(2) \$200,000 in a state general election.

(c) For executive council:

(1) \$35,000 in a state primary election.

(2) \$35,000 in a state general election.

(d) For state senate:

(1) \$15,000 in a state primary election.

(2) \$15,000 in a state general election.

(e) For representative to the general court and all county offices, based upon the latest figures filed with the secretary of state:

(1) \$.25 per registered voter in the district or the county in a state primary election.

(2) \$.25 per registered voter in the district or the county in a state general election.

664:5-c Advisory Committee.

I. There is established a legislative advisory committee to monitor the application of federal and New Hampshire campaign financ-

ing statutes. The committee shall study inflationary, market, and other trends which may necessitate changes in state campaign financing law. The committee shall submit a report to the governor and to the general court in November of each odd-numbered year preceding a state general election.

II. The committee shall consist of the secretary of state and 4 other members: one person appointed by the house majority leader; one person appointed by the house minority leader; one person appointed by the senate majority leader; and one person appointed by the senate minority leader.

9 New Penalty. RSA 664:21 is repealed and reenacted to read as follows:

664:21 Penalty.

I. Any candidate who voluntarily agrees to limit campaign expenditures as provided in RSA 664:5-a, and who exceeds the total political expenditure limitation as provided in RSA 664:5-a and 5-b in running for any office in either a state primary or state general election, or both, shall be subject to a fine schedule which is based on the percentage by which the candidate exceeds permitted campaign expenditures, so that the candidate shall pay a percentage of the excess campaign expenditures as follows:

(a) Candidates for United States Senate and Governor:

under \$1,000-one percent
\$1,000-\$ 5,000-10 percent
\$5,000-\$ 10,000-25 percent
over \$ 10,000-50 percent

(b) Candidates for representative to Congress:

under \$ 1,000-one percent
\$1,000-\$ 5,000-10 percent
\$5,000-\$10,000-25 percent
over \$10,000-50 percent

(c) Candidates for executive council and county officers:

under \$ 500-one percent
\$ 500-\$ 1,000-10 percent
\$1,000-\$5,000-25 percent
over \$5,000-50 percent

(d) Candidates for state senate:

under \$100-one percent
\$100- 500-5 percent
\$500-1,000-10 percent
over 1,000-50percent

- (e) Candidates for the general court:
 - under \$100-one percent
 - \$100 -\$250-one percent
 - over \$250-one percent

II. Any fine assessed under the provision of this section shall be paid to the secretary of state for deposit into the general fund.

III. Nothing herein shall be construed to limit the power of the attorney general to issue a cease and desist order under RSA 664:18.

10 Effective Date. This act shall take effect January 1, 1990.

AMENDED ANALYSIS

This bill provides that any candidate may voluntarily agree to limit his campaign expenditures and those of his committees, his party, and his immediate family made on his behalf.

Total expenditures by a candidate who voluntarily agrees to limit his campaign expenditures are as follows:

I. For governor and United States senator:

- (a) \$400,000 in a state primary election.
- (b) \$400,000 in a state general election.

II. For representative to Congress:

- (a) \$200,000 in a state primary election.
- (b) \$200,000 in a state general election.

III. For executive council:

- (a) \$35,000 in a state primary election.
- (b) \$35,000 in a state general election.

IV. For state senate:

- (a) \$15,000 in a state primary election
- (b) \$15,000 in a state general election.

V. For representative to the general court and all county offices, based upon the latest figures filed with the secretary of state:

- (a) \$.25 per registered voter in the district or the county in a state primary election.
- (b) \$.25 per registered voter in the district or the county in a state general election.

If a candidate voluntarily accepts the campaign expenditure limitation, then his filing fee is either waived or refunded. The bill increases the filing fees for running for state office as follows:

I. For the offices of governor, United States senator, and representative to Congress, \$5,000.

II. For the office of executive councilor, \$500.

III. For the county offices, \$100.

IV. For state senator, \$100.

V. For state representative, \$25.

The bill also increases the number of primary petitions to be filed for an office, and limits the persons who file primary petitions in order to have their names printed on the ballot to those individuals who are unable to pay the filing fee by reason of indigency, and to those persons who do not voluntarily limit campaign expenditures.

The bill establishes a legislative advisory committee to report to the governor and the general court prior to the state general election to address any factors which might warrant changes in the campaign financing law.

The bill also establishes a fine schedule for candidates who exceed permitted spending limits.

Amendment adopted. Ordered to Third Reading.

Senator Roberge wished to be recorded as opposed.

CACR 4, relating to initiative petitions. Providing that referenda to enact laws may be initiated by petition. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: We have already addressed this problem with writing the clarity of constitutional questions. And we felt the referenda would multiply that by a huge magnitude. That it would, in fact, tilt to the side that had the most money. That it would lengthen the time of the polls being open and perhaps drive people away from the polls and there is no proper hearing method like we have here where legislation is heard carefully and everybody, regardless of the amount of their income, can come down here and testify on it. We felt that with the representation that we have with a 400 member House and a 24 member Senate in this small state that we did not need this and basically it would be a relief act of the television stations and they don't need the relief.

Adopted.

SB 132, relative to Rockingham Park. Ought to Pass with Amendment. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: This bill came into Ways and Means certainly in a different position than what you find it in this afternoon. I think personally that the track made themselves a good case for the problem. They understand what we are trying to do here as far as fiscal responsibility. And we could not go the whole way. You will find the bill has been amended to include about \$100,000 and that is what the status of the Ways and Means committee report is and we ask that the Senate go along with the Ways and Means Committee report.

SENATOR STEPHEN: Senator Blaisdell, are you aware or would you know how many people are working down at the track, including a fellow named Jerry Chevers? I heard that he gets paid from \$70,000; 80,000; 90,000; \$100,000 in a year subsidized by the state and how many other people are subsidized?

SENATOR BLAISDELL: Senator Stephen, I don't really think that is a fair question, but what I'll do is I'll defer to Senator Delahunty. But I do know that 1395 people work at that track. It brings a lot of economic value to the state.

SENATOR DELAHUNTY: Senator Stephen, would you believe that Jerry Chevers salary is \$35,000 a year and is a temporary job? He is not really employed by the track, but he lends himself to a public relations job and it is strictly part-time to do television shows and it is that type of thing that people repeat without fact that do harm to well intended legislation.

SENATOR STEPHEN: I'll believe what you say, Senator Delahunty, that he is getting \$35,000 but, isn't that subsidized by the state and how many other people working there are on the payroll that are subsidized by the state?

SENATOR DELAHUNTY: This money does not go the Rockingham venture at all. This money goes directly to the Horseman's Association and the intent of the funding is to support the purse funds at the track in order to attract better quality horses and larger crowds.

SENATOR STEPHEN: Senator Delahunty, would you agree that the track should have a full public disclosure of their books and of their payroll, if we are going to give out money to the track?

SENATOR DELAHUNTY: Senator Stephen, the track accountants came up here with both sets of books, including Rockingham Venture and Rockingham Park. And they presented those books, including the individual reports as well as the joint report, to the legislative budgetary assistants. And they looked at them and came back to the committee and reported to the committee and advised the committee that they needed the funds.

SENATOR STEPHEN: Senator Delahunty, until they open the books to me, I'll have to vote no on this subject.

SENATOR DELAHUNTY: Senator, you had every opportunity to examine those books and ask the questions that day at the hearing. This man spoke in front of your committee and I am not sure

whether you had the time to be there or not, but he was there and he spoke and those books were available.

SENATOR STEPHEN: I was at the hearing and we had a long debated hearing and I witnessed what happened. They recessed to the back room and they came back and said we are not going to vote on this issue this morning. I was under the impression we were going to vote on it that day. They had a vote that took place last Tuesday.

SENATOR JOHNSON: Senator Blaisdell, please help me understand to what extent the state money is going back to Rockingham Park in whatever form that might go back.

SENATOR BLAISDELL: This particular piece of legislation here, if passed by the Senate and passed by the House, would go back into just what Senator Delahuntty said. It would go back to help a purse fund. Senator Johnson, as you know, you have to reinvest back into the product. We learned a very tough lesson a few years back when we didn't invest in the horse and we lost the harness racing business in the State of New Hampshire. This is what they are trying to do. They are trying to reinvest back into the product to bring better horses to the State of New Hampshire, to protect the revenues we have now. I think rather than lose this industry, like we did the harness industry, that this is small compared to what they have given back to us over the years, especially in labor, the offset costs, they simply have \$60,000,000 in economic value to the State of New Hampshire. I think it is double that. And if you want to ask another question ask the people of Salem what happened when Rockingham Park burned down. Those people over there had to go to the federal government to get subsidies. This is the reason that I, as Senate Finance Chairman, and Senator Delahuntty, who comes from the town of Salem, are trying to protect a revenue source and an income to the State of New Hampshire.

SENATOR JOHNSON: My question, Senator Blaisdell, is this. What extent is state money going back to the Rockingham Park race track either through additional purses or what? Are you saying that the general fund or whatever is now going to be sending money down to Rockingham Park?

SENATOR BLAISDELL: No, I am not saying that.

SENATOR JOHNSON: What is the fiscal impact of this bill on the State of New Hampshire?

SENATOR BLAISDELL: \$100,000 from the general fund in 1990-91.

SENATOR JOHNSON: So the answer to my question is that \$100,000 in general fund money is going to enhance the purse money at the race track in Rockingham Park.

SENATOR BLAISDELL: If you want to say it that way, yes.

SENATOR DUPONT: Senator, just to make it clear what is happening, is that \$100,000 of revenue that would go to the State in 1990-91 does not come in rather than the State of New Hampshire.

SENATOR BLAISDELL: That's right. I thought that would be easy to explain. I thought they would understand that. Certainly it is revenue that would be coming into the State of New Hampshire that would be kept there to reinvest back into the product. That's common knowledge.

SENATOR DUPONT: Senator, is it also possible that there may be some additional benefit to the State of New Hampshire by this piece of legislation.

SENATOR BLAISDELL: Absolutely, there are quite a few benefits. You can't take an industry of that type and just send it out of the State of New Hampshire and not reinvest back in it. Look at what the sister State of Massachusetts is doing, certainly they are the ones that are investing. We are not. We could lose this revenue that we have coming into the State of New Hampshire. Not only the revenue that Rockingham Park generates to the State of New Hampshire, but the revenues all the way around in the different businesses.

SENATOR STEPHEN: Senator Blaisdell, I'm listening to you and I agree that the Rockingham Park has helped the state with business profits tax and room and meals tax and whatever and also the businesses of Salem.. But how many businesses in this state that we have that the State of New Hampshire subsidize or will bail out?

SENATOR BLAISDELL: You are not a regulated business. They are.

SENATOR KING: I heard a moment ago about our competition in Massachusetts. Last year, this same issue was discussed in the Massachusetts legislature. They were screaming about the same thing. About how Rockingham was knocking them down and they needed

some tax breaks for Suffolk Downs in order to be able to survive. And so this year Rockingham comes back to us looking for tax breaks and next year it will be Suffolk Downs looking for tax breaks in the Massachusetts legislature and they are going to dance around and around and New Hampshire taxpayers are going to have to pay the band on that. I honestly believe that if the state can't provide a little more assistance to our communities in terms of property tax relief, then we shouldn't be providing any tax relief to private business.

SENATOR JOHNSON: I rise in opposition to the pending motion. I am into my fourth term in this Senate here and I have watched Rockingham Park people come before this legislature virtually every biennium since that time. At the beginning they were asking for additional tax breaks to recover from their fire and I certainly had no problem going along with that. At the time, I objected to the last minute efforts that required amending the rules in order to allow these bills to come on. But what we have gone from is where we have given them additional tax breaks, instead of getting revenue it is now turned around and the general fund of New Hampshire is now being asked to spend \$100,000 to subsidize Rockingham Park. And at the time we talked about it and I hear it from Senator Blaisdell on bill after bill how tight the general fund money is, I don't see how we can now turn around and start pouring money into Rockingham Park from the general fund.

SENATOR DELAHUNTY: In response to the amount of money we are spending, the past three years we have been expending money to assist Rockingham Park and, in fact, in the Governor's budget the anticipated revenue was \$1.2 million per year for the past two years. And we are asking for \$100,000 to be coming out of the purse fund to be forgiven by the state this year. This to me, and I don't want to sound like a broken record, but if you take a businessman's view point and you are going to make an investment to make a return on a dollar, this is one of the best investments you can make and in fact Senator King, I think that this will enable you to give more money back to the town because you will have more revenue to distribute if you make this investment.

SENATOR STEPHEN: Senator Delahunty, originally this bill was for \$2.6 million and the amendment, I believe, was dropped to \$100,000, am I correct.? How do you see such a decrease - a decrease from \$2.6 to \$100,000 and if that is so, why at all?

SENATOR DELAHUNTY: My reasoning behind that and that was my suggestion and my legislation and the reason for it was very

frankly to keep the bill alive. Give the Governor the opportunity to further investigate the issue and see if there was any way that we could continue to support the legislation. I realize the condition the state is in and I realize there are several priorities and am very concerned about other priorities that we have. But I go back to same thing I have been saying over and over again, if we don't do it we'll have less revenue to work with and we'll be in more serious trouble.

SENATOR JOHNSON: Since you mentioned Governor Gregg, this morning I read that Governor Gregg doesn't think that the race tracks deserves another big tax break. That was in the paper that I read this morning.

SENATOR DISNARD: Senator Blaisdell, Rockingham Park is being blamed for everything. Where did this idea come from that this type of action should be taken?

SENATOR BLAISDELL: This idea came from a long study over the last summer by the Touche Ross report. In fact the Touche Ross report stated that \$3 million that Rockingham Park would be owing to the State of New Hampshire should be forgiven. And Rockingham Park said no. They want to pay the \$3 million back because it was a commitment. They recommended more than this. To be able to protect an industry that is so vital to the State of New Hampshire. The track paid for the report. No one else paid for it but the tracks.

SENATOR HEATH: Senator Blaisdell, you have drawn the analogy about reinvesting in a business to get returns. Why is it we continually are investing in this one and the returns are continually diminishing?

SENATOR BLAISDELL: That is not true. The handles have gone up at Rockingham. And more money is coming back to the State of New Hampshire. We have proven by what we have done in the reports in the past two sessions. We've invested back in it, now we are trying to do some more to help them get some more.

SENATOR HEATH: Senator, what was the amount of revenues generated from the track 10 years ago?

SENATOR BLAISDELL: Are you talking about harness in there? Probably about \$15 million.

SENATOR HEATH: Senator, what is it this year?

SENATOR BLAISDELL: Probably about \$2 million and you want to know why? Because we in this legislature wouldn't go along with

a sire's stakes program, wouldn't do anything to protect the product. We wouldn't do it. That is what I'm trying to do now - protect it.

SENATOR HEATH: If I understand you right, it has gone down from \$14 million to \$2 million and \$100,000 will turn that around, sir?

SENATOR BLAISDELL: It will be a help, but when you are talking about that you have all ready lost the industry of harness so that was the big end of it. The flats were different.

AMENDMENT TO SB 132-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to Rockingham Park and the Rochester Agricultural
and Mechanical Association, Inc.

Amend RSA 284:22, I as inserted by section 1 of the bill by replacing it with the following:

I. The commission on all win, place and show pari-mutuel pools at tracks or race meets at which running horse races are conducted for public exhibition shall be uniform throughout the state at the rate of 19 percent of each dollar wagered in such pools, and the commission on all other pari-mutuel pools at such tracks or race meets shall be uniform throughout the state at the rate of 26 percent of each dollar wagered in such pools. Except as provided in the introductory paragraph of this section, the amount of the purse at such tracks or race meets at which running horse races are conducted shall be 8-1/4 percent of each dollar wagered in all pari-mutuel pools, said 8-1/4 percent to be paid by the licensee out of the commission on such pools. In addition to the above commission, 1/2 of the odd cents of all redistribution based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10 (except, with simulcast wagering, in cases where the licensee pays out more than the total amount in the pool, the lowest multiple of 5 shall be used), known as "breakage", shall be retained by the licensee, and the balance of such breakage shall be paid to the state treasury for the use of the state in accordance with the provisions of RSA 284:2. Each licensee shall pay the tax provided for in RSA 284:23. [During the calendar years 1987 and 1988 only,] The licensee shall add to said purse fund 3/4 of one percent of all pari-mutuel pools at tracks or race meets at which running horse races are conducted, and the state shall add to said purse fund [the residual unclaimed thoroughbred pari-mutuel ticket

fund left after one year under RSA 284:31 plus 1/2 of the breakage received by the state under this section and] 1/2 of the tax received by the state under RSA 284:23, [I; during the calendar years 1995, 1996, and 1997 only 3/4 of said breakage shall be paid to the state and 1/4 to the licensee.] Said 1/2 of the tax received by the state under RSA 284:23 and added to said purse fund under the provisions of this section shall not annually exceed [\$1,000,000] **\$100,000** for each [of the] calendar [years 1987 and 1988] **year provided that the state's contribution to the purse fund shall occur only if amounts wagered in the average of the win, place, and show and all other pari-mutuel pools combined does not exceed \$850,000 during any day from June 17 to August 19 or \$500,000 during the remainder of the year.**

Amend the bill by replacing all after section 1 with the following:

2 Reimbursement for State Contribution. Amend RSA 284:23, I(a) to read as follows:

(a) Each person, association or corporation licensed to conduct a running horse race or running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one percent of the total contributions to all win, place and show pari-mutuel pools, and a sum of money equal to 2 percent of the total contributions to all other pari-mutuel pools conducted, made or sold at any such race or meet licensed hereunder, except that during calendar years 1995, 1996 and 1997 only, the tax on such win, place and show pools shall be 1-1/2 percent and the tax on all other pools shall be 3 percent. The amount so paid to the state treasurer shall be distributed in accordance with the provisions of RSA 284:2. The payment of the increased tax for the years 1995, 1996, and 1997 to reimburse the state for its contribution to the purse fund under RSA 284:22, I **during the years 1986, 1987, and 1988** shall be secured under the same terms and conditions as the subordinated revenue bonds issued by the industrial development authority dated December 23, 1983, after said bonds have been paid, except that the rights of the state shall be subordinate to the rights of the industrial development authority and the bondholders. Any release of the state as a lien creditor shall be subject to the prior approval of the fiscal committee and with the approval of governor and council.

3 New Subparagraphs; Rochester Agricultural and Mechanical Association, Inc.; Capital Improvements. Amend RSA 284:23, II by inserting after subparagraph (b) the following new subparagraphs:

(c) From the amount required to be paid to the state treasurer under subparagraph (a), a sum equal to 10 percent of such amount shall be retained and expended by the Rochester Agricultural and Mechanical Association, Inc. for each of the next 5 fiscal years, end-

ing June 30, 1994, for capital improvement, alterations, changes, additions, replacements, professional planning, or major repairs to, for, or upon the property owned or leased by the association.

(d) For any capital expenditures made under subparagraph (c), the association shall report to the fiscal committee and show, in detail, the itemized expenditures for capital improvements.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires horse track licensees to add a certain percentage of all pari-mutuel pools to the purse fund each year, and requires the state to add 1/2 of the tax received from the track to the purse fund each year, provided that the amount of all pools wagered does not exceed certain amounts.

The bill limits to 1986, 1987, and 1988 the years for which horse track licensees will have to pay increased taxes in 1995, 1996, and 1997 to reimburse the state for its contribution to the purse fund.

The bill also allows the Rochester Agricultural and Mechanical Association, Inc. to retain a certain percentage of the tax to be paid to the state, for the next 5 years, to be used for capital improvements. Amendment adopted. Ordered to Third Reading.

Senators Stephen, Johnson and Currier wish to be recorded as opposed to the amendment.

HOUSE MESSAGES

HOUSE CONCURS

HB 459, authorizing the Lamprey solid waste cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill.

HOUSE REQUESTS CONCURRENCE WITH AMENDMENTS

SB 4-A, making supplemental appropriations for fiscal year 1989.

Senator Blaisdell moved nonconcurrence and requested a committee of conference.

Adopted.

The President appointed Senators Bartlett, Blaisdell and Hough. Alternatives appointed are Dupont and Torr.

Recess.

Out of Recess.

Senator Dupont in the Chair.

HOUSE MESSAGE

HOUSE ACCEDES TO SENATE REQUEST
FOR A COMMITTEE OF CONFERENCE

SB 4-A, making supplemental appropriations for fiscal year 1989.

The Speaker appointed Representatives: Scamman, Kidder, Hager, Gross and Nardi.

COMMITTEE OF CONFERENCE REPORT

COMMITTEE OF CONFERENCE REPORT ON SB 4-A

The committee of conference to which was referred SB 4-A, An Act making supplemental appropriations for fiscal year 1989 having considered the same, report the same with the following recommendations:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing sections 9, 10 and 11 with the following:

9 Conway Fire District. Amend 1987, 341:4 as amended by 1988, 37:1 to read as follows:

341:4 Conway Village Fire District. The sum of \$960,000 for the fiscal year ending June 30, 1988, is hereby appropriated to the Conway village fire district for the purposes of sewer treatment plant expansion, lagoon system expansion, and for interceptors. This appropriation shall be used to complete the treatment ability of the federal and state-funded sewage system begun in 1979. This appropriation shall be in addition to any other funds appropriated or allocated to the district by the state for water pollution control. The sum appropriated in this section shall be a continuing appropriation and shall not lapse. This appropriation shall not be construed as setting any precedent for any other projects for replacement of federal funds withdrawn. [The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.] **This appropriation shall be a charge against the capital reserve fund, which is the amount in excess referred to in 1987, 399:10, II.**

10 Appropriation; Department of Safety. In addition to any other sums appropriated to PAU 02, 15, 03, 01, department of safety, division of safety services, division safety-watercraft safety, class 94,

Glendale repair; the sum of \$100,000 is hereby appropriated for the fiscal year ending June 30, 1989. This appropriation shall be a charge against the capital reserve fund, which is the amount in excess referred to in 1987, 399:10, II.

11 Sum Adjusted; State Water Pollution Control Revolving Loan Fund. Amend 1987, 341:2 to read as follows:

341:2 Appropriation. The sum of [\$2,400,000] **\$1,885,000** is hereby appropriated for the biennium ending June 30, 1989, for the state water pollution control revolving loan fund described in RSA 149-B:12 as inserted by section 1 of this act for the purpose of providing a 20 percent state matching grant for the federal funds deposited in said fund during fiscal year 1989. [The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.] This appropriation shall be nonlapsing and in addition to any other sums appropriated to the state water pollution control revolving loan fund. **This appropriation shall be a charge against the capital reserve fund, which is the amount in excess referred to in 1987, 399:10, II.**

Amend the bill by replacing section 14 with the following:

14 Parks Division; Repeal Carry Over. 1987, 400:5, II, relative to carrying over certain revenues of the parks division, is repealed.

Amend the bill by replacing section 16 with the following:

16 Appropriation; Liquor Commission. The sum of \$240,000 is hereby appropriated to the liquor commission for the fiscal year ending June 30, 1989. Of the sum appropriated, \$160,000 shall be used for relocation costs of store #50 in Nashua and \$80,000 shall be used for relocation costs of store #5 in Berlin. This appropriation shall not be transferred or used for any other purpose. This appropriation shall be a charge against the capital reserve fund, which is the amount in excess referred to in 1987, 399:10, II.

Amend the bill by replacing section 20 with the following:

20 Additional Reduction. The legislative, judicial, and executive branches are hereby directed to further reduce all state general fund appropriations for the fiscal year ending June 30, 1989, in the amount of .1 of one percent. This reduction shall be in addition to all other reductions required. The provisions of RSA 124:14 shall apply to any adjustments required to be made because of reductions required under this section. The legislative accountant and the chief justice shall, within 15 days of the effective date of this act, notify

the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to fully comply with this section.

Amend the bill by deleting sections 21 and 22 and renumbering section 23 to read as 21.

*Conferees on the Part
of the Senate*

Sen. Bartlett, Dist. 19
Sen. Blaisdell, Dist. 10
Sen. Hough, Dist. 5

*Conferees on the Part
of the House*

Rep. Scamman, Rock. 19
Rep. Kidder, Merr. 2
Rep. Gross, Merr. 16
Rep. Nardi, Hills 35
Rep. Hager, Merr. 21

Senator Bartlett moved to adopt the Committee of Conference report.

SENATOR BARTLETT: It may seem a rather rapid committee of conference on SB 4 but, I can assure you that Senate Finance has been working with the House Appropriations Committee the last couple of days to try and reach accommodations on this supplemental budget. One of the first things we had to deal with was the House did not recognize the Capital Reserve fund. The letter from the Attorney General's office indicated to all those that the Capital Reserve fund was still in place. Once that was over, the House had spent some money that we were not enthused about, but we did agree on approximately one million dollars worth of things of which is; \$450,000 for foster care and appropriations for promotions to the arts - \$100,000 to the arts. As you notice the Speaker has been in and out of here all day today and we have been talking to House Appropriations. Our basic premise was that if they wish to spend more money then they had to find a way to cut the budget approximately \$500,000. They spent considerable time doing that and they came up with a nice easy way of doing it. They took 1/10 of 1% of the budget, which is about \$525,000 to \$550,000, which affects all of the general fund money excluding those that have matching funds. Therefore, we have arrived at a supplemental budget with the figures we are using now with money in there for gap of about \$195,000. We just went down there to put it together; it is being drafted, but I know that most of you have meetings to go to and we have reached what we feel is a budget which we can live with and will end this year on June 30, 1989 with a surplus of \$195,000, take care of the statutory obligations Senator Hough and Senator Blaisdell referred to before

and still keep the State of New Hampshire in a positive manner. I will be happy to answer any questions that you may have.

SENATOR PODLES: Senator Bartlett, do I understand you correctly that the Capital Reserve fund was reinstated? The whole thing?

SENATOR BARTLETT: The whole amount of money was reinstated, but from that \$1,885,000 was taken out almost exactly to what the original Senate position was. The Capital Reserve fund is about \$1,700,000 and we lifted out about \$300,000.

SENATOR JOHNSON: I think I understood you to say that the school building aid and the catastrophic aid statutory obligations would be funded as we have voted on in the Senate.

SENATOR BARTLETT: That is not exactly correct. That was not funded. That was \$480,000 that was not funded. That was one of the first things the House indicated they were willing to give up. And we will be reconsidering the SB 37-FN-A which deals with that figure. That was 1988 money. The reason for it is that the opinion of those people in the House and the Senate was that the school districts were not too upset over it and that is water over the dam and they would rather have the future things funded knowing the lack of money available.

SENATOR JOHNSON: Would you believe that this Senator would be very upset about it and that when the word gets out to my school districts that they will be also, and it is for that reason that I will not be able to vote for the committee of conference report.

SENATOR BARTLETT: Senator Johnson, I would believe that and I understand what you are saying, but there is a certain amount of money available to be spent and there were hard cuts that had to be made and decisions had to be made. Now I am not saying that that is one we would have preferred to make, but is one that we had to make in order for us to make out a balanced budget.

SENATOR DISNARD: Are you referring to 1988 money or 1989 money?

SENATOR BARTLETT: 1988

SENATOR HOUGH: Clearly you must recall that in May of last year this legislature passed an appropriation act in the second year of the biennium. And that act fully funded our obligations in school

building aid and catastrophic aid for the first year of the biennium. Between July 1 and November, the department found an item that was not included in the area of school building aid for about \$80,000. Had that been in place, it would have been picked up last May. Similarly, one of the problems we know we face in catastrophic aid is that bills continue to come in and the department has had an inability to hold them to a cut off date. Early in the day we affirmed the Disnard amendment to cut off school building projects. Don't assume that we are not honoring 1988 charges. We already met 88 charges with a few exceptions that have surfaced through the department. We acted on that last best available information for 1988. We have acted on the last best available information for fiscal year 1989 by this conference report and I will guarantee you that post July 1 there will still be '89 charges that we are not aware of today.

SENATOR DISNARD: I beg to differ with you, Senator. The information that I have has been available for two months that the shortfall for '88, regardless of when the information was presented to the Department of Education for catastrophic aid, was \$160,671. Now, you will recall several years ago when we were able raise \$1 million to \$5 million for catastrophic aid, the governor agreed on three things. He wanted it 3 and half times so that every year we wouldn't have to come back and request another amount of money. He also said that it is the law that the school districts will pay the first 3.5 times, then the state will pay the next 80%. Now that is an obligation in the law which I think is our obligation and if I were a school district I'd tell the state to jump in a lake because they swapped and the law is that the state would pay the next 80%. We drew a part that would make sure it was written that way. Now when I hear that something came in late or someone didn't submit their bill until late now that is a problem we may have to address in the future, but I maintain that \$160,671 is not the obligation of the school districts.

SENATOR HOUGH: Clearly, your figures are the figures that were available in November. They were the figures that were used in drafting other supplemental appropriations bills. These figures are quite different than the values that were appropriated last May to fully fund our obligation for the first fiscal year. And I am telling you, as you know full well and as you have amended the school building aid, if to do nothing else is to have a cut off date on January 1 is realistic as opposed to July 1 as in the present law. The facts are that the Senate honored these positions in the conference. The House did not accede to the Senate's position and it is their position not to fully fund these obligations; it is not the Senate's position. We are dealing with a conference and if we had moved forward into a biennial

budget this is one of the points of departure. This is the one act that the House offered contrary to what their other proposal was which was to be totally irresponsible and wing it by 1/10th of 1%. Senator Disnard, we could stay here all night, but you know as well as I do being an old school man that these numbers that the department prints out will be different tomorrow as they were yesterday and we have got to close this thing off.

SENATE DISNARD: Would you believe, I don't disagree with you, but I'm saying what the law is on the books and what we insisted on and if there is a problem, I'm referring to catastrophic aid, not building aid, if there is a problem coming up with catastrophic aid then we should address it the same way we addressed with an amendment on the building aid. But I still maintain and will advise my school districts not to pay any portion of the \$160,000 and suggest that they take the State to court. Because we insisted on that when the bill was written. That was a trade off.

SENATOR HOUGH: I am telling you that the policy in this body is to honor that and we appropriated for it.

SENATOR BARTLETT: I think most of us have been in this body long enough to know that committees of conference are just that. They are agreements where people sit down together and they try to arrive at something. This has been an on going thing for over 48 hours. Now you can either accept the committee of conference or, as Senator Johnson, not accept it. What he will do is he will protect nothing because his school district won't get anything anyway if he votes against it. But all the other things in that bill, which we felt were moral obligations of the state which go over \$13 million, they will not be funded either. So you are sort of in a little bit of a box here. Whether you like it or not, that's the way the legislative process works. That if you try to kill one issue you kill all the other issues. Which means that nothing will happen regarding the supplemental budget for probably another month-month and a half. It's just taking us longer to get it done. All those other issues which we felt were very strong will not be handled. There are other methods to address Senator Disnard's thing. There are bills coming through. If he wants to attach things to it he is welcome to do so, but basically you have a committee of conference you either adopt it or reject it. If you reject it there is nothing happens and that \$13 million that we have out there that we really felt were moral obligations they will be taken care of. If you decide not to do those for the school building aid, that's fine and if that is your top priority and you don't care about the rest of it then you vote down the committee of conference.

SENATOR DISNARD: Senator Bartlett, would you believe that it is not the building aid I am addressing here. You people here, outside of a couple of new members, have many more years than I. It is hard for me to understand how a committee of conference can undo a state's debt. And this is what I don't understand.

SENATOR BARTLETT: I am not saying we undid it. We just didn't fund it. The question was did we fund it? I am telling you we didn't fund it fully like you wanted. Now we are not sure exactly what that liability is, as you heard Senator Hough tell you that that liability may change tomorrow or the day after.

SENATOR DISNARD: Thank you very much. Would you believe that I think the 1988 bills are wrong?

SENATOR JOHNSON: With all due respect to the committee of conference's work there, you talk about a moral obligation and I understand that. Senator Disnard refers to a statutory obligation and I think I understand that. If I have got to make a choice between the statutory obligation that this body has passed and has promised to local school districts vs. a moral obligation that I understand only in the abstract, I have got to vote no on this and accept whatever consequences are forthcoming.

Question: Adopt Committee of Conference Report?
Adopted.

RECONSIDERATION

Senator Hough moved reconsideration on SB 37-FN-A, making supplemental appropriations for area vocational school tuition and transportation, school building aid, catastrophic costs, audit fund, and foster care.

Adopted.

Senator Hough moved to put SB 37-FN-A on second reading at the present time.
Adopted.

SENATOR DISNARD: Does that bill include the \$220,000 shortfall for 1988?

SENATOR HOUGH: This legislation includes the appropriation for foster care, the appropriation for tuition and transportation in 1988 and appropriations for school building aid in 1988 and the most recent figures for shortfall in 1988 for special catastrophic aid.

SENATOR DISNARD: Do I hear that that shortfall for catastrophic aid will be paid? That's what I heard you say - it addressed catastrophic aid?

SENATOR HOUGH: I didn't say anything. I said it appropriates money.

SENATOR DISNARD: I'm confused. If the committee of conference found an inability to \$160,000 for catastrophic aid, the statutory obligation, and if what I hear you say and I don't know that they did find in this bill \$220,000 to pay for 1988 vocational education tuition, which is not a statutory obligation, I guess I don't follow.

SENATOR HOUGH: Clearly 1988 costs were not in the committee of conference. The foster care was. All three components of '88 in education are not included in the conference report.

SENATOR DISNARD: That's not my question. My question is from your bill which you just explained is does that include the shortfall for 1988 for vocational transportation and tuition?

SENATOR HOUGH: No it does not.

Senator Hough moved to lay SB 37-FN-A on the table.

Adopted.

RESOLUTION

Senator Dupont moved that all Senate Bills still in committee or laid on the table with the exception of SB 205-FN-A, SB 45-FN, and SB 144-FN, which are awaiting action by the Supreme Court, are by this resolution made inexpedient to legislate.

Adopted.

SB 11, prohibiting ski craft on various lakes of the state.

SB 28, relative to property purchases by executive departments.

SB 37-FN-A, making supplemental appropriations for area vocational school tuition and transportation, school building aid, catastrophic costs, audit fund, and foster care.

SB 201-A, relative to construction of a New Hampshire Route 10 bypass and making an appropriation therefor.

CACR 3, relating to a yearly property tax. Providing that property taxation shall not exceed the previous year's levels by more than 5 percent in any city, town, or other political subdivision unless approved by two-thirds of the voters of such a city, town or other political subdivision.

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage, all titles be the same as adopted, and that they be passed at the present time.

Adopted.

Third Reading and Final Passage

SB 65, establishing a committee to study mental health insurance benefits.

SB 67-FN, relative to regulation of excavation of sand, gravel, and construction aggregate.

SB 150, relative to the department of transportation federal aid highway

appropriation accounts and making an appropriation therefor.

SB 57-FN relative to mandatory waste reduction and recycling for state agencies.

SB 156-FN relative to refuse disposal.

SB 38-FN relative to fireworks.

SB 164-FN relative to licensing ophthalmic dispensers.

SB 36-FN, relative to catastrophic costs and school building aid.

SB 49-FN-A, requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program.

SB 70-FN-A, establishing a pilot program to test the application of the office of state planning's GRANIT system.

SB 78-FN-A, making appropriations to the WIC program.

SB 106-FN, relative to increasing driver's license fees and relative to issuing temporary driver's licenses to new residents and making an appropriation therefor.

SB 113-FN-A, relative to medicaid coverage of dental benefits for all categorically eligible recipients and making an appropriation therefor.

SB 147-FN-A, relative to waiting lists for developmentally disabled persons.

SB 169-FN, creating a committee to study school tax rates.

SB 170-FN-A, establishing an emergency shelter telephone service and a pilot housing voucher program, and making an appropriation for the emergency shelter telephone service.

SB 177-FN-A, establishing an interest-free revolving loan fund and a guaranteed loan program for child care providers.

SB 191-FN-A, relative to telecommunications devices for the deaf.

SB 195-FN-A, establishing a family support network for families caring for children or adult family members with disabilities at home and making an appropriation therefor.

SB 153-FN-A, establishing a committee to study the AFDC program.

SB 133-FN-A, making an appropriation for Title XX grants and protective and preventive child care.

SB 89-FN, providing a 5 percent cost of living adjustment for group I retirement system members and relative to defining "retired state employee" for state employees group insurance purposes.

SB 17, allowing the wetlands board authority to issue cessation orders pending a hearing.

SB 69-FN, establishing the home mortgage guarantee authority.

SB 158-FN, relative to the sale of a manufactured housing park.

SB 187-FN-A, relative to drug and alcohol abuse treatment at the New Hampshire state prison and making an appropriation therefor.

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality.

SB 128, relative to subdivision approval by planning boards.

SB 166, relative to modifying planning board procedures on plats and relative to invalid zoning ordinances and appeals to the superior court.

SB 178, relative to campaign financing.

SB 132, relative to Rockingham Park and the Rochester Agricultural and Mechanical Association, Inc.

Senator Dupont moved that the Senate be in recess to the call of the Chair for the sole purpose of introducing legislation, referring bills to committee, and scheduling hearings.

Adopted.

Recess.

Out of Recess

Friday, February 24, 1989

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Magee offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 20 through 369 and HCR 1 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 20, authorizing investigators to photograph hazardous waste sites. (Development, Recreation and Environment)

HB 31, recodifying the laws pertaining to the elderly. (Public Institutions, Health and Human Services)

HB 36, relative to library records confidentiality. (Public Affairs)

HB 60, relative to pronouncement of death by nurses. (Public Institutions, Health and Human Services)

HB 61, relative to accessibility of vital records. (Public Institutions, Health and Human Services)

HB 97-FN, relative to eligibility for public assistance. (Public Institutions, Health and Human Services)

HB 98-FN, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs. (Public Institutions, Health and Human Services)

HB 107-FN, relative to food service licensure. (Public Institutions, Health and Human Services)

HB 123-FN, relative to the office of securities regulation. (Insurance)

HB 124-FN, relative to the annual fee for issuers of open-end mutual funds and relative to fees charged for licenses of broker-dealers, investment advisors, and issuer-dealers. (Insurance)

HB 128-FN, authorizing the department of environmental services to impose administrative fines for hazardous waste management violations. (Development, Recreation and Environment)

HB 141-FN, relative to liability for expenses. (Judiciary)

HB 146-FN, relative to the milk standard. (Development, Recreation and Environment)

HB 155, relative to correcting an error in the March 10, 1987, Hooksett school district election ballot. (Public Affairs)

HB 159, repealing certain railroad bridge requirements. (Transportation)

HB 185, clarifying the department of transportation's authority in maintaining and operating rail operations. (Transportation)

HB 197-FN, to reclassify portions of certain highways in the town of Seabrook. (Transportation)

HB 201, relative to protective custody of abused or neglected animals. (Development, Recreation and Environment)

HB 239, relative to legalizing town meetings. (Public Affairs)

HB 246-FN, relative to allowing UMTA federal funds to be carried over from one state fiscal year to the next. (Internal Affairs)

HB 247-FN, relative to the transfer of funds for turnpikes from the general reserve account. (Capital Budget)

HB 359, relative to statements of minors in civil cases. (Judiciary)

HB 369, relative to assumption of a town office after a recount. (Public Affairs)

HCR 1, of support for northeastern regional cooperation in solid waste reduction, recycling and disposal. (Development, Recreation and Environment)

Correction

SB 136-FN, prohibiting abortions performed on certain minors without parental consent.

Floor amendment failed.

Recess

Friday, March 3, 1989

Out of Recess

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Charbonneau offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 19 through 751 and CACR 5 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 19, regarding the use of the hazardous waste cleanup fund. (Development, Recreation and Environment)

HB 53, relative to syringes for diabetics. (Public Institutions/Health and Human Services)

HB 89-FN, giving the division of water resources the authority to levy administrative fines for certain violations relating to dams. (Development, Recreation and Environment)

HB 101-FN, relative to budgetary transfer authority of the department of health and human services. (Finance)

HB 102-FN, relative to the department of libraries, arts and historical resources. (Executive Departments)

HB 140-FN, relative to delinquent children and children in need of services. (Judiciary)

HB 167-FN, relative to taking or acquisition of condominium common areas by eminent domain. (Public Affairs)

HB 186-FN, allowing free hunting and fishing licenses for residents suffering from certain handicaps. (Development, Recreation and Environment)

HB 219-FN, relative to filing deeds and instruments with the register of deeds. (Public Affairs)

HB 232, relative to authorizing the prepayment of taxes. (Public Affairs)

HB 259-FN, permitting selectmen to set fees. (Internal Affairs)

HB 261-FN, relative to dog licenses. (Public Affairs)

HB 351, relative to special permits for the use of crossbows by physically handicapped persons. (Development, Recreation and Environment)

HB 367, relative to damages for wrongful death. (Judiciary)

HB 512, relative to zoning ordinance protest petitions (Executive Departments)

HB 110-FN, relative to low and moderate income housing. (Internal Affairs)

HB 135, relative to school administration. (Education)

HB 228, permitting independent voters to vote in a primary and change their registration back to independent on the same day of the primary. (Public Affairs)

HB 272-FN, relative to Pike's school in Haverhill, New Hampshire. (Development, Recreation and Environment)

HB 408-FN-A, relative to a study of the highways in Sullivan and Cheshire counties. (Transportation)

HB 455-FN, relative to appeals in child abuse or neglect cases. (Judiciary)

HB 507-FN, relative to child care. (Public Institutions/Health and Human Services)

HB 586-FN, relative to siting and permitting of solid and hazardous waste disposal facilities. (Development, Recreation and Environment)

HB 751, relative to state-issued bonds sold at a discount. (Finance)

CACR 5, relating to rulemaking authority. Providing that the general court may delegate regulatory authority to executive branch officials, but such rules may be disapproved by the general court. (Executive Departments)

Recess

Monday, March 6, 1989

Out of Recess

Senator Dupont in the Chair.

ENROLLED BILLS REPORT

HB 459, authorizing the Lamprey solid waste cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill.

Recess

Wednesday, March 8, 1989

Out of Recess

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 46 through 729-FN shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 46, relative to applications for approval of plans for a waste disposal system which contain encroachment waiver requests. (Development, Recreation and Environment)

HB 50, exempting the department of transportation, the department of safety, and the department of postsecondary vocational-technical education from the authority of the director of information services. (Internal Affairs)

HB 68, relative to the director of water supply and pollution control. (Internal Affairs)

HB 92-FN, imposing liens on certain nursing homes. (Judiciary)

HB 130-FN, requiring certification of operators of pollution control facilities and relative to renewals of water works operator certificates. (Development, Recreation and Environment)

HB 131-FN, relative to protective well radii for private water wells. (Development, Recreation and Environment)

HB 138-FN, providing for a supportive employment program and for an independent living program. (Education)

HB 148-FN, relative to relocation assistance and real property acquisition. (Internal Affairs)

HB 151-FN-A, continually appropriating revenue from certain OHRV fines. (Development, Recreation and Environment)

HB 187, relative to the rulemaking authority of the board of medicine. (Internal Affairs)

HB 209-FN, establishing a committee to study the accessibility of nursing home care. (Public Institutions, Health and Human Services)

HB 213-FN, relative to water tests for private wells. (Public Affairs)

HB 221, exempting health care facilities and personnel from liability when performing medical procedures at the request of a law enforcement officer investigating a crime. (Judiciary)

HB 241-FN, relative to purchasing airports, establishing airport districts, authorizing airport property tax base sharing agreements, and clarifying certain statutes relative to aeronautics. (Capital Budget)

HB 288-FN, relative to penalties for aggravated DWI and for negligent homicide. (Judiciary)

HB 292-FN, extending the study and evaluation of state Route 101A corridor in the Nashua region. (Capital Budget)

HB 298-FN, relative to the statute of limitations for actions against governmental units (Judiciary).

HB 314, relative to expanded polystyrene in the construction of houses. (Public Affairs)

HB 336, relative to senior citizens' bingo games. (Executive Departments)

HB 338, relative to the authority of the Hillsborough county convention to employ a delegation coordinator. (Public Affairs)

HB 341-FN, relative to cosmetologists and pedicurists. (Public Affairs)

HB 345, relative to interference with hunters, trappers and fishermen. (Development, Recreation and Environment)

HB 389-FN, enabling cities and towns to increase the veterans' exemption and the property tax exemption on residential property for a service-connected total disability. (Public Affairs)

HB 454-FN, relative to the interest due on property tax bills. (Ways and Means)

HB 456-FN, changing the due date for county taxes. (Public Affairs)

HB 475, requiring the full legal name of persons on ballots and on checklists. (Public Affairs)

HB 484, relative to checkout procedures after votes are cast. (Public Affairs)

HB 492, relative to recreational campgrounds and camping parks. (Development, Recreation and Environment)

HB 494, relative to the transition period for a new state treasurer and a new secretary of state. (Internal Affairs)

HB 498, relative to publication of information on certain juvenile offenders. (Judiciary)

HB 499, relative to administration of medications to clients receiving services in the state mental health system. (Public Institutions, Health and Human Services)

HB 523, relative to a privilege for confidential communications between guardian ad litem and child. (Judiciary)

HB 590-FN, relative to submitting municipal financial reports to the department of revenue administration. (Public Affairs)

HB 625-FN, permitting a county to impose a lien on real and personal property for nonreimbursement of certain court-ordered expenses. (Judiciary)

HB 729-FN, requiring labeling of solid and hazardous waste collection containers. (Transportation)

Recess

Monday, March 13, 1989

Out of Recess

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Preston offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 51 through 750-FN and HCR 7 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 51, relative to a vehicle width on certain highways. (Transportation)

HB 64-FN, relative to immunizing cats against rabies and licensing cats. (Public Affairs)

HB 81-FN, relative to dam permitting authority. (Development, Recreation and Environment)

HB 132-FN, relative to the division of water supply and pollution control enforcement orders. (Development, Recreation and Environment)

HB 150-FN, authorizing the imposition of administrative fines for certain oil pollution control offenses and clarifying terminology in oil pollution control laws. (Development, Recreation and Environment)

HB 163, concerning certain labor laws. (Insurance)

HB 176-FN, requiring certificates of title for vehicles owned by the state and political subdivisions. (Transportation)

HB 189-FN, increasing the minimum wage law. (Public Affairs)

HB 212, relative to the board of chiropractors. (Executive Departments)

HB 223-FN, relative to investment of state funds in corporations doing business in Northern Ireland. (Internal Affairs)

HB 258-FN, increasing the cap on the revolving drug forfeiture fund. (Internal Affairs)

HB 260-FN, relative to distribution of catastrophic aid. (Finance)

HB 285-FN, relative to liens on real property for hazardous waste cleanup costs. (Public Affairs)

HB 332-FN-A, relative to the collection and reclamation of motor vehicle wastes. (Development, Recreation and Environment)

HB 441-FN-A, relative to bingo games conducted by charitable organizations. (Ways and Means)

HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts. (Education)

HB 460-FN, relative to notice that tax payments may be due under the interest and dividends tax. (Ways and Means)

HB 511, relative to medical records. (Public Institutions, Health and Human Services)

HB 584-FN, relative to bad checks. (Judiciary)

HB 611-FN, relative to service dogs. (Public Institutions, Health and Human Services)

HB 632, relative to the confidentiality of quality assurance records of community mental health centers. (Public Institutions, Health and Human Services)

HB 651-FN, relative to adoption fees and information about birthparents. (Judiciary)

HB 681-FN, relative to workers' compensation. (Insurance)

HB 750-FN, establishing a redevelopment commission relative to Pease Air Force Base and making an appropriation therefor. (Internal Affairs)

HCR 7. 1989 Joint Rules. (Rules)

Recess

Thursday, March 16, 1989

Out of Recess.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, March 16, 1989 at 1:00 p.m..

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Thursday, March 16, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Podles in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we feel very sorry that we have offended thee, mostly by our own greed and avariciousness! May the message of Palm Sunday, be a lesson for us - one day of praise - and later on "Crucify Him"!! What fools we mortals be.

Amen

Senator Stephen led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

The House of Representatives is ready to meet the Honorable Senate in Joint Convention, for the purpose of attending to the address by Chief Justice Brock on the state of the judiciary.

Recess.

Out of Recess.

COMMITTEE REPORTS

HB 16, relative to advertising potatoes. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This ground breaking piece of legislation spud right through the Dev. Rec. Committee, with all eyes on it. I'm pleased to report that we are reporting it as ought to pass and we urge that the rest of the Senate make the grade and vote yes on this committee report.

SENATOR HEATH: Senator, is this another half baked idea?

Adopted. Ordered to Third Reading.

HB 20, authorizing investigators to photograph hazardous waste sites. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: HB 20 was put in at the request of the Division of Waste Management. It is a bill that is very clear and would give the Bureau of Waste Management the legal and legislative authority to take photographs. Often times, when they are approaching a waste site and attempt to take photographs, they are stopped by the people in question and they feel that they need this legal authority.

Adopted. Ordered to Third Reading.

HB 62-FN, adding administrative fines to the laws relative to auctioning and shipping livestock. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill gives the commissioner of agriculture the right to levy administrative fines and set up schedules for violators of provisions related to the transportation of livestock for auctioneers. There is an appeal procedure built in to the statute, so as a result it will allow those people who are in a position to be fined the right to recourse if they don't agree. I urge the Senate support the committee on this.

Adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Bartlett moved that the rules of the Senate be so far suspended as to allow for a committee report not previously advertised in the calendar and without having proper notice of a hearing.

Adopted. (2/3rds vote needed)

HB 750-FN, establishing a redevelopment commission relative to Pease Air Force Base and making an appropriation therefor. Ought to Pass. Senator Bartlett for the Committee.

SENATOR BARTLETT: I would be very happy if I were not here today talking about Pease Air Force Base and it was still going to be in existence. But it's a fact that Pease Air Force Base, within five years, will be completely phased out.

You have before you HB 750-FN which looks nothing like the original bill, and therefore it means it's a good compromise. This bill represents a compromise between the Governor's office, the City of Portsmouth, the Town of Newington, the Speaker and myself. We believe that this bill will properly address a committee which will do and consider the best way to treat the closure of Pease. You have read in the newspapers the appointments made by the Governor, the Speaker and myself and we have received very favorable reports. Pease is a big nut to crack. Unless it's properly handled by people with knowledge and understanding, it would be a detriment to the state. I believe that this committee has the ability to put together a plan that will be beneficial to the people of Portsmouth, address their concerns; the concerns of Newington and the total result will be, I hope as I forecasted one time, the closure of Pease may be a blessing in disguise. I urge your support on HB 750-FN and I will answer any questions that you may have.

SENATOR PRESTON: I would like to speak in support of this piece of legislation. I sincerely regret the fact that some civilians and seacoast area residents are going to be severely impacted in their livelihoods as a result of this closure and I wish there was something that could be done to prevent it from happening. But, as Senator Bartlett said, it's a fait accompli that no one base may be omitted from that list. I just request that we prioritize our concerns for those people. I commend the Senate President and the Speaker of the House for the caliber of the people they've appointed and I am hopeful that this will work out to the best interest for the people of the seacoast and the entire state. I support the legislation.

SENATOR KRASKER: I'd like to speak on behalf of the passage of this legislation. Pease Air Force Base is in my district. For thirty-three years it's been a very good neighbor. We're sorry to lose it, but the communities that I represent feel that they can live with the structure that's been established through the compromise to this legislation and I, too, wish to thank the leadership for their appointments. I think it's going to be an excellent redevelopment commission and I would urge it's passage.

Adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Bartlett moved that the rules of the Senate be so far suspended as to allow HB 750-FN to be placed on third reading and passed at the present time.

Adopted.

Third Reading and Final Passage

HB 750-FN, establishing a redevelopment commission relative to Pease Air Force Base and making an appropriation therefor.

Adopted.

COMMITTEE REPORTS

HB 63-FN, relative to equine infectious anemia. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This bill would allow the lip tattoo for cows infected with equine infectious anemia to be replaced by a freeze marking. I hope that you will support the committee in this bill.

Adopted. Ordered to Third Reading.

HB 65-FN, adding administrative fines to certain provisions of the agriculture laws. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill does exactly the same thing that HB 62 does. It allows the Department of Agriculture to levy administrative fines in certain instances giving the right of appeal. The whole purpose of this administrative fine procedure is to try to take some of the load off of the attorney general's office and the court systems in areas where those particular entities of government are already overburdened with far more serious problems and it's our hope that this will, in effect, make the enforcement of the particular statutes and rules more equitable and more efficient. I urge the Senate adoption of this committee report.

Adopted. Ordered to Third Reading.

HB 89-FN, giving the division of water resources the authority to levy administrative fines for certain violations relating to dams. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: This is a good dam bill compared to the half baked report we heard on potatoes by Senator Bass. The main reason for this bill is to reduce the lengthy and time consuming proc-

esses in going through the present court system for those who have violations in maintenance of the dams. It is a measure that follows the administrative authority that we've given to other agencies in the state. It's rather a stick used to insure that folks wouldn't continue with improperly maintained dams.

SENATOR NELSON: I was trying to listen to you carefully, but it wasn't clear. Is this the first time you're putting the fines on or did you say it went through the courts?

SENATOR PRESTON: No, they have the fines now, but they have to go to the attorney general and the courts and it's a lengthy process, where this would allow for public hearings to be held before the judge, a special hearing would be held and if they failed within a period of time to comply with the wishes of the board, then they could assess these fines. Whoever is being fined has the right to appeal, to go through the court system if they so desire.

SENATOR NELSON: Senator Preston, this is putting another step before the horse then?

SENATOR PRESTON: It cuts down having to do with the A.G. and the courts first. It gives them the right to a public hearing after the initial fines to see if they can resolve it without having to go through the attorney general.

Adopted. Ordered to Third Reading.

HB 122-FN, relative to concession contracts at certain state facilities. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 122 was requested by DRED as a result of a recommendation during an audit by the Legislative Budget Assistant's office. Their recommendation was that both the time and the amount be increased on concession contracts and it does update current law to more appropriate levels. As the analysis says; the bill extends the time period from one year to three years and raises the annual consideration from 100 to 2500 on concession contracts that have to be reported with the registry of deeds and I urge its adoption.

Adopted. Ordered to Third Reading.

HB 128-FN, authorizing the department of environmental services to impose administrative fines for hazardous waste management violations. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER HB 128 is an enforcement tool to increase compliance. At the present time, as you've heard with other bills, administrative violations go directly to the A.G.'s office and they are backlogged. This will provide an opportunity to clear things up a bit. The bill will enable the Commissioner of Environmental Services to impose fines not to exceed \$2,000 for each offense and hopefully will act as a deterrent to reduce continuing noncompliance. On the testimony that we had before the committee was, in some instances, companies decide it's more advantageous financially to be in violation and they do this. We hope that by this bill there will be more of a tendency to comply.

SENATOR NELSON: I just noticed that before us we have all these bills that are increasing fines. It says that the Commissioner of the Department of Environmental Services, he has the right. Is he doing this through a committee or does he just read these things and does it or through the rule making process?

SENATOR KRASKER: They do hold hearings but there is no ability to enforce without going to the A.G.'s office and bringing court action through the A.G.'s office. Some of these offenses are minor offenses that they believe could be handled better administratively then going through the A.G.'s office.

SENATOR NELSON: I was just interested though where it says the commissioner of the department of services, after notice and hearing may impose the fine. I understand it's enabling, but it's just the commissioner. Is that the way you usually do business?

SENATOR KRASKER: I don't sit on that committee.

SENATOR BOND: Just to clarify Senator Nelson's concern; you'll find in the first section of this legislation that it says that after notice and hearing pursuant to RSA 541:A, under the rule making authority, the procedure would be set up for all of these administrative fine processes.

Adopted. Ordered to Third Reading.

HB 160-FN, to repeal the state recreational fund. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: The state recreation fund has not even been in existence for the last 15 years and has not been used for 27 years. This is just to clear the books of statutes that are not used at the present time.

Adopted. Ordered to Third Reading.

HB 186-FN, allowing free hunting and fishing licenses for residents suffering from certain handicaps. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: At the present time, the executive director of fish and game is able to issue complimentary hunting and fishing licenses to residents of the state who are suffering from paraplegia and they are veterans who have this right. HB 186 gives the same privilege to nonveterans who are totally and permanently disabled. The estimates are between 150 and 200 persons will qualify under this bill the first year.

Adopted. Ordered to Third Reading.

HCR 1, resolution of support for northeastern regional cooperation in solid waste reduction, recycling and disposal. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: HCR 1 deals with the solid waste concern that we're all faced with now. It calls for the support by the New England Resource Recovery Conference and the Eastern Regional Conference of the Council of State Government and the New York legislative commission on solid waste to work together to resolve problems of solid waste disposal. It also asks for the cooperation of the Council of State Government and individual governments in appointing persons to participate. We urge your support.

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator McLane in the Chair.

COMMITTEE REPORTS

HB 71, relative to the department of education. Ought to Pass with Amendment. Senator Disnard for the Committee.

SENATOR DISNARD: This is a housekeeping bill, requested by the Department of Education. It transfers the responsibility of school testing and evaluation to the Division of Standards and Certification within the Department to the Division of Structure within the department. However, you may want to note the amendment on page 8 because that raises some questions. It pertains to the section

which allows the commissioner to accept gifts. The amendment handles this question that concerned people had because it wasn't clear in the bill, that any gifts must be approved by the Governor and Council. That's all the amendment does.

AMENDMENT TO HB 71

Amend RSA 21-N:4, III-a as inserted by section 2 of the bill by replacing it with the following:

III-a. Have the authority, subject to the approval of the governor and council, to accept gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the policy objectives of the department of education as set forth in RSA 21-N:1 and except as prohibited by any other provision of law.

AMENDED ANALYSIS

This bill authorizes the commissioner of education to accept, subject to the approval of the governor and council, gifts, contributions, and bequests of unrestricted funds from individuals, foundations, corporations, and other organizations or institutions for the purpose of furthering the policy objectives of the department of education. The bill transfers the responsibility for school testing and evaluation programs from the division of standards and certification to the division of instructional services within the department. It also removes the responsibility for the board of nursing and nurse registration from the division of standards and certification.

The bill was requested by the department of education.

Amendment adopted. Ordered to Third Reading.

HB 161, extending the illiteracy and dropout prevention legislative study committee. Ought to Pass. Senator Magee for the Committee.

SENATOR MAGEE: Basically what this bill does is it extends the already existing subcommittee, the sponsors are members of that subcommittee. The Education Committee of the Senate saw to pass this bill unanimously and respectfully I would request this bill ought to pass.

Adopted. Ordered to Third Reading.

HB 41, clarifying the authority of municipalities to form districts for the purpose of hiring municipal prosecutors. Ought to Pass with Amendment. Senator Disnard for the Committee.

Senator Disnard moved to recommit HB 41.

SENATOR DISNARD: The committee respectfully requests the Senate to recommit this back to committee as a vehicle to handle a problem that has arisen since the committee took action.

Adopted.

HB 74, extending the time for the filing of a report by the municipal charter study committee. Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This bill extends for another year, the date by which the report is due of the study committee preparing guidelines of recommendations for legislation. The guidelines from this are charter adoption and revision of amendments. I urge you to agree with the committee report.

Adopted. Ordered to Third Reading.

HB 43-FN, transferring the authority to regulate professional bondsmen from the insurance commissioner to the director of the office of securities regulation. Ought to Pass. Senator Freeze for the Committee.

SENATOR FREEZE: This bill was introduced on behalf of the Insurance Department and what it does is essentially transfers the authority to regulate professional bondsmen from the Insurance Department to the Office of Securities Regulation. Two years ago we set up the separate securities division, which is attached to the Insurance Department. This responsibility is already being done by the securities division and this just clarifies the statute as it presently exists.

Adopted. Ordered to Third Reading.

HB 123-FN, relative to the office of securities regulation. Ought to Pass with Amendment. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: The amendment merely cleans up a typo that was in the bill. It changes the word issue-dealers to issuer-dealers. There are five items in the bill. All of these are at the request of the Office of Securities Regulation. Item one deals with issuer-dealers that are domestic in nature. There are approximately 74 in the state. These are people with very small organizations, like closely held family corporations who merely issue one series of

stock. They have a good track record as far as fraud and noncompliance are concerned according to the Office of Securities Regulations. It costs \$255 per day plus mileage to do one of these audits. The Office of Securities Regulations believes that this is too much for some of these companies to bear. Therefore, they wish to continue these audits and only charge these people mileage. The Office of Securities Regulations believes that they can obtain this loss of revenue from other sources.

Item two expands what is in the law now. It merely changes the time frame from ten days to ten business days. This was done to avoid crunch times in the Office of Securities Regulations and it allows for a more quality review of some of the exempt issue regulations.

Item three cleans up language in the present law. The present law now reads as if it was okay to make false or misleading statements in a contested hearing.

Item four requires that the full law be printed on the cover page of any offering document. At the present time, they merely have to cite the law, put RSA 822 on the document without spelling out what RSA 822 actually deals with. This will make it absolutely clear to the consumer what is going on.

Item five deals with an area where present law is now silent. What happens to a cease and desist order issued by the director of the Office of Securities Regulation that remains unanswered? With this bill, it will be made clear that it will become permanent if it remains unanswered. We urge your support of the committees recommendation of ought to pass with amendment.

AMENDMENT TO HB 123-FN

Amend the bill by replacing section 1 with the following:

1 Exemption for Domestic Issuer-Dealers. Amend RSA 421-B:9, VII to read as follows:

VII. The broker-dealer or other person examined pursuant to this section shall bear the expense of the examination. Such expense shall be limited to a reasonable per diem allowance for compensation and expenses as determined by the director. **Notwithstanding any other provision of law, domestic issuer-dealers shall be exempt from bearing the expense of examinations conducted pursuant to this section, except for the mileage expenses to and from the examination incurred by the office.**

AMENDED ANALYSIS

This bill was requested by the office of securities regulation.

The bill:

(1) Exempts domestic issuer-dealers from paying expenses, except for mileage expenses, of post-licensing examinations.

(2) Clarifies that the period that an issuer of exempted securities must wait before selling such securities is 10 business days.

(3) Makes it illegal to make false or misleading statements in contested case hearings.

(4) Requires that the text of a law regarding unlawful representations be printed on the cover page of any prospectus or other offering document or exempted filing.

(5) States that if the person to whom a cease and desist order is issued by the director of the office of securities regulation fails to request a hearing within 30 days, the order will become permanent unless the order is later modified or vacated by the director.

Amendment adopted. Ordered to Third Reading.

HB 124-FN, relative to the annual fee for issuers of open-end mutual funds, and relative to fees charged for licenses of broker-dealers, investment advisors, and issuer-dealers. Ought to Pass. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: The first item of the bill spells out what is practiced now. Namely, that each issuer of stock and issuer of open-end mutual funds must pay a fee of \$1,000 to the State of New Hampshire. A generic fund, such as Fidelity of Dravers that has many small organizations under them, cannot have the parent company come in and pay \$1,000 and issue many series of stock. It has never happened as yet, but the Office of Securities Regulations wanted to make this absolutely clear:

The second item does not deal with these, per se, but changes the time when they must be paid from biennially to annually. Again, to make things better and easier for the Office of Securities Regulations. There is a nationwide computer data base run by the industry which our OSR can join at no fee. It can tell us who has been registered, where and with whom; whether he has ever been disciplined, etc. The only provision to joining they cannot now comply with is our fee system must be on an annual basis. The OSR stated that because they can relay and use this data base, they will be able to free up people to work on enforcement.

The original fiscal note has been revised and you should have this one which shows there will be no fiscal impact on the state. The original fiscal note was done with the erroneous information.

Adopted. Ordered to Third Reading.

HB 125-FN, relative to securities registration statements and rule-making by the director of the office of securities regulation. Ought to Pass. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: The first section merely changes what information is required on the securities registration statement. Namely, the applicant must state whether he or she has been censured, reprimanded or warned by any self regulating organization, such as the National Association of Securities Dealers or the New York or the American Stock Exchange.

The second item renews the director of rule making authority. When the Office of Securities Regulation was originally set up, the rule making authority was merely granted for two years as part of a Committee of Conference compromise. This merely extends this authority for two more years.

Adopted. Ordered to Third Reading.

HB 246-FN, relative to allowing UMTA federal funds to be carried over from one state fiscal year to the next. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: This is basically a housekeeping bill filed at the request of the Department of Transportation. The department receives grants throughout the year from the Urban Mass Transportation Administration to support public transportation in the state. The grants arrive at different times of the year, some times close to the end of the fiscal year and as a result lapse in to the general fund requiring the department to go to the Governor and Council to reissue those funds. This bill would make it much more efficient.

Adopted. Ordered to Third Reading.

HB 17, changing the language of the oath administered to petit jurors in criminal cases. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill technically replaces the use of the archaic 19th century language of the oath administered to jurors in criminal cases with more modern language which more clearly ex-

plains what their responsibilities are. The oath now has some realistic meaning. We urge the Senate's adoption of the committee's report.

Adopted. Ordered to Third Reading.

HB 114-FN, allowing the district courts to approve petitions for services other than counsel. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: HB 114-FN allows the district court, trying a criminal case in which the defendant has been found indigent, to directly approve funding for services other than counsel. This takes the authority from the superior court and grants it to the district court. Presently, when a defendant requests services they have to petition the superior court, even if the case is being heard on the district court level. The process continues at the superior court level. They have no idea what the case is about and basically, no information to go with that application. So, the process actually means that it is rubber-stamped and returned to the district court. Passing this bill will save time and does not in any way expand the services that are being provided. The committee recommends ought to pass.

SENATOR JOHNSON: Senator, what would be some of the other services that would be envisioned by the passage of this bill?

SENATOR PODLES: Senator Johnson, the other services that they do are transcripts services, expert witness, medical testimony and blood sample analysis.

Adopted. Referred to Finance (Rule #24).

HB 141-FN, relative to liability for expenses. Ought to Pass. Senator Podles for the Committee.

Senator Podles moved to recommit HB 141-FN.

SENATOR PODLES: We would like to merge two bills in to one and that will give us a little more time.

Adopted.

HB 142-FN, relative to liability of expenses for the support and necessities of minors. Ought to Pass. Senator Podles for the Committee.

Senator Podles moved to recommit HB 142-FN.

SENATOR PODLES: This is the other bill that we want to merge in with HB 141-FN.

Adopted.

HB 203, regarding copying costs of public documents. Inexpedient to Legislate. Senator Preston for the Committee.

SENATOR PRESTON: The testimony before the committee determined that this bill was not necessary and in fact it could end up costing the state more money. The Department of Transportation determined that the wording, professionally printed as is listed in this bill, might preclude them from the documents that they print up within their own agencies being sold with a ten percent charge. People have the advantage of getting all the information they want now in documents from departments. This piece of legislation seemed unnecessary.

Adopted.

Recess.

Out of Recess.

Senator Preston in the Chair.

COMMITTEE REPORTS

HB 60, relative to pronouncement of death by nurses. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 60 appropriately enough is a bill that was supported by the Home Care Association of New Hampshire, the New Hampshire Coalition of Nursing, and the New Hampshire Nursing Association and it seems appropriate that they are here to listen to the adoption of this bill. HB 60 will allow a nurse to make a pronouncement of death in hospitals in cases where the death has been anticipated. This is really the key word; that it's an anticipated death, and also to sign the death certificate. At the present time, nurses are already allowed, under current law, to do this in a nursing home, a private home served by a home health care provider or in a hospice. So, what this bill does is it expands this capability to hospitals and I would urge its adoption.

Adopted. Ordered to Third Reading.

HB 134-FN, relative to the deaf and hard of hearing. Ought to Pass with Amendment. Senator Bond for the Committee.

SENATOR BOND: HB 134-FN changes the definitions relative to interpreters for the deaf and hard of hearing and establishes a program for the deaf and hard of hearing within the division of vocational-rehabilitation Department of Education. One of the definitions that it changes is removing the term deaf mute.

The amendment, which you will find on page 8, effectively removes in section two, part two, the sentence which begins; "for purposes of this chapter" and ends "linguistic information". You will find that on page three of the bill.

AMENDMENT TO HB 134-FN

Amend RSA 521-A:1, II as inserted by section 2 of the bill by replacing it with the following:

II. "Deaf person" means any person whose hearing is so impaired as to seriously prohibit the person from processing linguistic information through hearing, with or without amplification, so as to require the use of an interpreter. This includes, but is not limited to, persons who are deaf, deaf and blind, or severely hard of hearing. Amendment adopted. Ordered to Third Reading.

HB 144-FN-A, relative to minor mothers and their infants and making an appropriation therefor. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This bill establishes, at the request of the Division of Children and Youth, a legal relationship to the minor children of a minor child. Currently there are ten to maybe twenty cases in a year of young women who are foster children of the State who are the state's responsibilities who themselves become mothers. The State has no relationship with this child and the only way to establish such relationship would be to go to court and claim that that young mother was not a fit or adequate mother. The State does not wish to do this because their prime responsibility, they feel, is to encourage and help that young mother to become a good mother, despite her age. Hannah House in Lebanon is one of the places where these young women can go for help, but in order to pay for this child of a child, they, as I say, have to take it to court for neglect. This would establish the state's responsibility for these minor children of minors.

SENATOR DISNARD: When I see court ordered I get nervous. Does this mean that the counties must pay 25% of any cost incurred?

SENATOR MCLANE: It probably might. 25% of the cost of a minor's minor child because this asks for a legal relationship and for the state to pay their share.

SENATOR DISNARD: Is this a new bill?

SENATOR MCLANE: Well, yes it is except that now I think that probably the case could be made that it is less expensive for both the state and the county to do it this way than to go in to court and do it the way they might have to.

SENATOR DISNARD: Would you believe, that you and I in this room are to uphold the Constitution of New Hampshire. The Constitution of New Hampshire says we will not pass any more responsibilities, new programs or additional costs back to any municipality, therefore I say we can't do this.

SENATOR MCLANE: I think that that might be true, but I can think of no more reasonable cause. The Division of Children and Youth indicates that this bill will have no fiscal impact on state, county or local. What it does is the division is claiming these children now and it merely establishes a legal precedence for a cost which is there at this time.

SENATOR KRASKER: Thank you, Senator McLane, for making it very clear that there is no fiscal impact on this bill on county, local or state.

Adopted. Referred to Finance (Rule #24).

HB 145-FN, relative to children and youth services. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 145 was requested by DCYS. There was no opposition to this bill which is a housekeeping measure. It updates definitions relating to children and youth services. Some of these changes are required by the federal government and it also permits accrual of longevity benefits to local probation employees who had continuous employment as a full time probation officer and the title has been changed to employment as a Juvenile Services Officer. I urge its adoption.

Adopted. Referred to Finance (Rule #24).

HB 205, relative to continuing care communities. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 205 is another housekeeping measure. At a very, very brief hearing we learned that it was to correct an omission and an error that occurred in HB 571 that set up the statute for continuing care facilities. It makes clear that continuing care includes board, or lodging, or both. Unfortunately, because of the error, it formally read; "board and lodging". This makes the definition inclusive to all facilities that provide continuing care.

Adopted. Ordered to Third Reading.

HB 52, relative to rail accident reporting requirements. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 52 is a clarification in an expansion of the recording requirements involving railroad accidents. Previously, the only reported accidents have been involving derailments or personal injuries and this bill goes further because certainly there are other kinds of accidents and they will now fall under HB 52.

Adopted. Ordered to Third Reading.

HB 115-FN, reducing to a violation the misdemeanor offense of driving after revocation or suspension when it is a first offense and unrelated to DWI or reckless driving. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 115 reduces to a violation the current misdemeanor offense of driving after revocation providing it is the first offense and unrelated to DWI or reckless driving. HB 115 was prompted by a recommendation in the LBA audit of the indigent defense fund. According to the testimony, the audit discovered 642 cases of where the state provided a free lawyer for driving after revocation. In 86% of these cases, there was no apparent threat that the defendant would get a jail sentence. For information, in 1967, this offense was changed to a misdemeanor. Now, in 1989 this would change it back to a violation. If this is done with this legislation, there's an anticipated savings of \$150,000 to \$175,000 to the indigent defense fund.

Adopted. Referred to Finance (Rule #24).

HB 316, relative to notice of abutters. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: This bill ranks very high in the annals of low impact legislation, someplace up there near the baked potato. It simply changes from 14 days to 30 days the time of notice that the selectmen will give to the abutters if they are going to alter or build a road.

Adopted. Ordered to Third Reading.

HB 172-FN, relative to distribution of sweepstakes revenue. Inexpedient to Legislate. Senator Bartlett for the Committee.

SENATOR BARTLETT: It was determined by the committee that the bill served no purpose. The money from the sweepstakes has always been used exclusively to aid education and therefore it is inexpedient to legislate.

Adopted.

Senators Podles and Johnson wished to be recorded as opposed.

HB 178-FN, relative to continuing the study committee reviewing the liquor laws. Ought to Pass. Senator Roberge for the Committee.

(tape inaudible)

Adopted. Referred to Finance (Rule #24).

VACATE

Senator Heath moved to vacate SR 1 from the Development, Recreation and Environment Committee.

Adopted.

SR 1, relative to an objective review and study of the structure and operation of the fish and game commission. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: SR 1 is a resolution to continue a study committee of the Senate to study the fish and game commission. Due to its late appointment and we got off to a late start and Senators had conflicts in time, last session this got sent to study. So, this continues that study so that we can study it for the next two years.

Adopted.

ANNOUNCEMENTS

RESOLUTION

Senator Hough offered a resolution memorializing Senator Norris Cotton.

WHEREAS, a resolution is a means whereby the Senate of the State of New Hampshire may honor the superior efforts and accomplishments of a New Hampshire citizen, and

WHEREAS, we acknowledge with great sorrow the death of Senator Norris Cotton who served with distinction as a United States Senator for more than two decades, and

WHEREAS, he served the citizens of this great state in a number of positions, beginning as a State Representative and later Speaker of the New Hampshire House of Representatives, and

WHEREAS, he also served as the Grafton County Attorney from 1933 through 1939 and as a Justice on the Lebanon Municipal Court before serving as a member of the United State Congress from 1947 through 1954, and

WHEREAS, while serving in the Congress he focused his attention in the areas of healthcare, highways and air transportation, and was instrumental in establishing the cancer center at the Mary Hitchcock Memorial Hospital which now bears his name, and

WHEREAS, upon his retirement from the United States Senate he was that body's third ranking Republican and its eighth ranking member, and

WHEREAS, those who served with him in the United States Senate held him in their highest esteem, and

WHEREAS, this sentiment was typified by Senator Harry Byrd, Jr.'s remarks when he rose on the floor of the Senate on Senator Cotton's last day and proclaimed that, "Norris Cotton personifies all the fine qualities that have made New England proud, independent yet compassionate and conscientious bastion of our democracy,"

NOW THEREFORE BE IT RESOLVED, that the Senate of the State of New Hampshire does hereby salute and recognize Senator Norris Cotton for the many contributions he has made to the State of New Hampshire,

AND BE IT FURTHER RESOLVED, that a copy of this resolution be prepared for presentation to this family.

Signed by William S. Bartlett, President of the New Hampshire State Senate. Twenty-three members of the New Hampshire State Senate and attested by Wilmont White.

Mr. President, I appreciate the opportunity to enter this resolution into the New Hampshire Senate and I wish to express my appreciation to my colleagues in helping to co-sponsor this resolution and I will see that it is presented to Mrs. Cotton. In closing I would like you to realize that I had asked that all twenty-four of us sign this because a few years ago we had a birthday party for Senator Cotton and at that time we passed a resolution and all twenty-four members of the body signed that resolution. He took great pride in the fact that he could get a unanimous vote, he took great humor in the fact that there were twenty-four members of both political parties and all political persuasions that were willing to recognize his birthday and I am sure that Mrs. Cotton would appreciate that, again, all twenty-four of us pay our respects to a person who had served the state so well.

Senator Bond moved that Senator Hough's remarks and resolution be entered as a part of the permanent record.
Adopted.

ENROLLED BILLS REPORT

HB 750, establishing a redevelopment commission relative to Pease Air Force Base and making an appropriation therefor.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the reading of the bills ordered to third reading be read a third time by this resolution and that all titles be the same as adopted, and that they be passed at the present time; and that when we adjourn, we adjourn until Tuesday, March 21, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Third Reading and Final Passage

HB 16, relative to advertising potatoes.

HB 20, authorizing investigators to photograph hazardous waste sites.

HB 62-FN, adding administrative fines to the laws relative to auctioning and shipping livestock.

HB 63-FN, relative to equine infectious anemia.

HB 65-FN, adding administrative fines to certain provisions of the agriculture laws.

HB 89-FN, giving the division of water resources the authority to levy administrative fines for certain violations relating to dams.

HB 122-FN, relative to concession contracts at certain state facilities.

HB 128-FN, authorizing the department of environmental services to impose administrative fines for hazardous waste management violations.

HB 160-FN, to repeal the state recreational fund.

HB 186-FN, allowing free hunting and fishing licenses for residents suffering from certain handicaps.

HCR 1, resolution of support for northeastern regional cooperation in solid waste reduction, recycling and disposal.

HB 71, relative to the department of education.

HB 161, extending the illiteracy and dropout prevention legislative study committee.

HB 74, extending the time for the filing of a report by the municipal charter study committee.

HB 43-FN, transferring the authority to regulate professional bondsmen from the insurance commissioner to the director of the office of securities regulation.

HB 123-FN, relative to the office of securities regulation.

HB 124-FN, relative to the annual fee for issuers of open-end mutual funds, and relative to fees charged for licenses of broker-dealers, investment advisors, and issuer-dealers.

HB 125-FN, relative to securities registration statements and rule-making by the director of the office of securities regulation.

HB 246-FN, relative to allowing UMTA federal funds to be carried over from one state fiscal year to the next.

HB 17, changing the language of the oath administered to petit jurors in criminal cases.

HB 60, relative to pronouncement of death by nurses.

HB 134-FN, relative to the deaf and hard of hearing.

HB 205, relative to continuing care communities.

HB 52, relative to rail accident reporting requirements.

HB 316, relative to notice of abutters.

Senator Krasker moved to adjourn.

Adopted.

Adjournment

Tuesday, March 21, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Torr in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we remember you during your Holy Week of tribulation and passion. The lesson portrayed is the constant battle between good and evil. Therefore, "Let us do unto others as we would have them do unto us. Lord, have mercy upon us.

Amen

Senator Freese led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

HB 272-FN, relative to Pike's school in Haverhill, N.H. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill basically extends to the Pike's school, along with a number of other institutions in New Hampshire, the ability to let the administrators to give the students one day free fishing licenses. It's up to the Fish and Game Department.

The amendment is a technical housekeeping change which changes an 'a' to a 'd' in the chapter cited. I urge your support for the committee report.

AMENDMENT TO HB 272-FN

Amend RSA 214:14-e as inserted by section 1 of the bill by replacing it with the following:

214:14-e Students at Pike's School. Resident student's at Pike's school in Haverhill, New Hampshire, may fish without a license on a special permit issued by the headmaster of the school under the same procedures as established in RSA 214:14-d. The executive director of the fish and game department shall cooperate with the Pike's school authorities to establish this therapeutic program.

Amendment adopted. Ordered to Third Reading.

HB 351, relative to special permits for the use of crossbows by physically handicapped persons. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: The committee found, based on the testimony that we heard, that there was no need for HB 351. The definition in it discusses the total and permanent loss of one or more hands. We had testimony from the Bow Hunters Association that you can use a straight bow, as a handicapped person, with certain devices into the crossbow and this increase use of the crossbow would not be to the advantage of the hunting public.

Adopted.

HB 102-FN, relative to the department of libraries, arts and historical resources. Ought to Pass. Senator Stephen for the Committee.

SENATOR STEPHEN: The committee met relative to the Department of Libraries, Arts and Historical Resources. The amended analysis on this bill is correct. Basically, what this bill does is clean up the RSA's to conform with the actual practice. It also blends two committees that were serving the same purpose into one committee. There was no opposition to this bill and the committee recommends ought to pass.

Adopted. Ordered to Third Reading.

HB 336, relative to senior citizen bingo games. Ought to Pass. Senator Stephen for the Committee.

SENATOR STEPHEN: This bill relative to the senior citizen bingo games raises the amount that can be offered in a senior citizens bingo game from \$25.00 to \$150.00. This has not been changed since 1983. They have to abide by all other rules and regulations now in force. Both the executive director of the Sweepstakes Commission and the enforcement section of the Department of Safety spoke in favor of this bill. There was no opposition to this bill and the committee recommends ought to pass.

Adopted. Ordered to Third Reading.

HB 512, relative to zoning ordinance protest petitions. Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: What this bill says is that if it affects more than one-third of the land area in a municipality it takes a majority vote in a town meeting to pass it. Whereby, in the current legislation, owners of 20% of the land, which could be two, ten or maybe even five people who live out-of-state or out of the town could have control by a protest petition to require a two-thirds vote on that issue. But, in cases where one-third of the land mass is effected by the change, a simple majority would actually take precedence. The committee recommends ought to pass.

Adopted. Ordered to Third Reading.

HB 110-FN, relative to low and moderate income housing. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: HB 110 allows loans by the finance authority to low and moderate income persons to assist them in making down payments on single family homes and also in paying closing costs and fees that relate to the purchase. The bill also allows the housing finance authority to invest certain monies appropriated or received through this program. Income from that investment will go back into the program. The committee recommends ought to pass.

SENATOR NELSON: Senator Podles, I was wondering if these commissions have the authority to invest money. I thought the state treasurer invested money. But do all these programs?

SENATOR PODLES: Senator, the monies that they invest is just the interest that comes from those loans. So, it's very little money and that money goes back into the program.

SENATOR NELSON: Senator Podles, did they indicate where they would invest this money?

SENATOR PODLES: No, that was not mentioned at all.

Adopted. Ordered to Third Reading.

HB 187-FN, relative to the rulemaking authority of the board of medicine. Inexpedient to Legislate. Senator St. Jean for the Committee.

Senator Freese moved to recommit to committee.

SENATOR FREESE: I have talked with the leadership of the Senate and we have a sister bill in our committee that we are holding and we'd like to have this bill recommitted so we can be consistent in these two bills.

SENATOR NELSON: Senator Freese, I just wanted to know if it's the ordinary business of the day to have boards have rule making authority. Or is this an unusual request?

SENATOR FREESE: No, it is not an unusual request to have the boards have rule making authority. They all have rule making authority as far as I know, having been a former member of the administrative rules committee.

SENATOR NELSON: How long has this board been in existence, do you know?

SENATOR FREESE: This particular board, I'm not sure.

SENATOR NELSON: And they're just now coming in for rule making authority?

SENATOR FREESE: I don't know. This bill is in another committee and I'm not a member of that committee. We have a sister bill to this one in our committee and we wanted to be consistent with what we recommended to the Senate, so that we can review what the group has done we're asking that this be recommitted.

SENATOR NELSON: What is the sister bill? What is it about?

SENATOR FREESE: That's a constitutional amendment. It has to do with rule making. It is quite severe, and we don't want to act on it until we know all the ramifications.

Adopted.

HB 259-FN, permitting selectmen to set fees. Inexpedient to Legislate. Senator St. Jean for the Committee.

Senator Bond moved to lay HB 259-FN on the table.
Adopted.

HB 494, relative to the transition period for a new state treasurer and a new secretary of state. Ought to Pass with Amendment. Senator St. Jean for the Committee.

Senator Podles moved to lay HB 494 on the table.
Adopted.

HB 359, relative to statements of minors in civil cases. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill allows for the introduction of testimony of minors in civil cases only. It is in essence a court rule that is being approached by statutes. There are safeguards; a trial judge must make findings a fact of that statement sought is trustworthy and the witness that is seeking to testify that such statement is competent. This especially relates to situations where there are allegations of child abuse and the victim doesn't feel confident enough to make a statement out of court on more than one occasion. It would eliminate the treatment as such a statement as being hearsay. We urge the Senate's adoption of the committee report.

Adopted. Ordered to Third Reading.

HB 455-FN, relative to appeals in child abuse or neglect cases. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: HB 455 grants the right of appeal to the Supreme Court on behalf of the alleged child victim upon dismissal of petition for abuse and neglect by the district court. It is important to give the child, at least, the same rights as the parent to have a whole new hearing on this matter before the Supreme Court. The committee recommends ought to pass.

SENATOR DISNARD: The analysis indicates the Superior Court, it makes no difference to me which court it goes to, but could you clear this up?

SENATOR PODLES: It's the Superior Court, sorry.

Adopted. Ordered to Third Reading.

HB 31, recodifying the laws pertaining to the elderly. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This bill recodifies all the laws pertaining to the elderly and to a new chapter. It contains no new legislation. In fact, the committee passed over an amendment, which was offered, so that we could very clearly make that statement.

This has to do with the commission on the elderly, and all other matters pertaining to the elderly, except tax matters.

Adopted. Ordered to Third Reading.

HB 61, relative to accessibility of vital records. Inexpedient to Legislate. Senator Krasker for the Committee.

SENATOR KRASKER: HB 61 was a request of the Division of Public Health and what they sought to do was further restrict information that could be given out on vital records and health statistics. You should understand, and I think I will take just a minute to let you know, that under current law, information, under RSA 126:1, can be restricted if, first, it could adversely affect an individual if the information were made public and, secondly, in the case of communicable diseases at the time of death, that's RSA 141-C, section 4. There was a question in our committee if the reason for the request for this further restriction was because of, for example, AIDS, that people wanted to keep that quiet. But that communicable disease is already covered in present law. The committee believes that what this would do is change what is now an appropriate balance between the interest of the press and legislative concern for protecting the privacy of individuals. The current statute provides that the media can receive information when it's of a public nature. What HB 61 would do is change the word, "public nature" to "public benefit" and we felt that was very open ended and really that arbitrary decisions could be made. What is considered benefit by one person might not be considered a benefit by another. In addition, the information would have to be given out if the bill were changed in accordance with the wishes of the registrant, his or her immediate family or the next of kin, and apparently there was no limit on how far this authority could extend. There might be severe administrative problems in determining who is next of kin and I think a legitimate question is; can you extend a right of privacy to one's relatives? We were told that the impetus for this legislation was the desire to protect a family when the press does not act responsibly. I think we all felt with sincere sympathy for the families who came in instances when they felt the press had not acted with sensitivity or restraint. However, in New Hampshire we believe that in the majority of cases, the press does act responsibly, particularly in reporting the reasons for death and we hope that they will continue. The committee believes that the further restrictions of HB 61 are really contrary to long traditions in New Hampshire of permitting access to public records and so we urge inexpedient to legislate.

Adopted.

HB 97-FN, relative to eligibility for public assistance. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill was requested by the Division of Human Services, Department of Health and Human Services. It deletes the reference to food stamps in the application procedure for

public assistance and it changes the period from three years (36 months) to 30 months for the period preceding the date of application, while the application is pending for transfer of a major asset as to its application to public assistance.

SENATOR NELSON: Senator, I was reading this over. Why are they deleting food stamps? Why are they deleting that word?

SENATOR BOND: It's not relevant to the application, it's a measure of eligibility for public assistance.

SENATOR NELSON: What's the difference between the fair market value within three years, which is 36 months, and 30 months?

SENATOR BOND: It's bringing it in to conformity with what the practice is elsewhere.

Adopted. Ordered to Third Reading.

HB 107-FN, relative to food service licensure. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: At the present time, while establishments can be cited for not meeting licensure standards, it's very difficult for Public Health to get them to do anything about it. This bill will enable the Division of Public Health to seek injunctive relief from the courts in case of violation of licensure standards and cause the offending establishment to cease operations until they meet the required standards. This is really a necessary bill for Public Health and I urge that it be adopted.

Adopted. Ordered to Third Reading.

HB 507-FN, relative to child care. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: This bill declares that the general court supports the family based child care. It's not a mandate, it's just an expression of the fact that family day care is important in this state and that it shouldn't be discouraged or eliminated by zoning. Many zoning ordinances were written in the middle 60's and they don't contain any provision for family day care which is home and neighborhood based. We have passed, as you will recall, a recruitment and training bill, twice, through this Senate in two separate sessions, which would encourage family day care. This is sort of the companion piece of legislation. There's no point, on the one hand, in provid-

ing money to encourage people to go into family day care and then having towns and cities discourage it through zoning ordinances. So, this is not a mandate, it's just an expression that it's valuable.

SENATOR DISNARD: If this is only a suggestion and not a mandate, then the community can still vote and the neighbors would still have to approve?

SENATOR KRASKER: Yes.

SENATOR MAGEE: Senator Krasker, just for the committee, the City of Nashua's zoning board last week granted a variance to allow a 200 person center, involved with one of our existing racquetball facilities, so I just want to say that I support this bill and some of the cities are making efforts in this way and I hope the rest take the lead that Nashua has.

Adopted. Ordered to Third Reading.

HB 182-FN, reclassifying certain highways in the towns of Carroll and Belmont. Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: HB 182 reclassifies two different highways. One in the town of Carroll and one in the town of Belmont. The one in the town of Belmont is a reclassification that was an agreement between the Department of Transportation and the town. The one in Carroll is a little more interesting. It's a reclassification of a class two highway to a United States forest service road. That road has historic value. Senator Bond came into the committee and expressed some concern about the forest service taking over what is the Ethan Allen Crawford Road from Lancaster to Crawford Notch. But, the forest service apparently has communicated with the Department of Transportation and that road will remain open to the public.

The amendment says that at any point when the forest service wants to close that road off, then ownership will revert back to the State of New Hampshire.

AMENDMENT TO HB 182-FN

Amend the bill by replacing section 1 with the following:

1 Class II Highway in Carroll. The 3.84 miles of class II highway in the town of Carroll known as the Cherry Mountain Road, beginning at a point 0.49 of a mile north of U.S. Route 302 and running north-

erly to a point 1.46 miles south of the Jefferson town line, is classified as a United States forest service road; provided, however, that should the United States government ever close the road to public use except as necessary on a temporary basis for public safety or to protect the road from damage, title and jurisdiction shall revert to the state of New Hampshire.

Amendment adopted. Ordered to Third Reading.

HB 454-FN, relative to the interest due on property tax bills. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This bill was put in by Representative George West on behalf of the New Hampshire Tax Collectors Association. It is a local option for selectmen, if they wish, to waive the interest on a property tax bill that is less than five dollars. Presently, the law is less than one dollar. The legislative chair of the New Hampshire Tax Collectors Association pointed out that often times checks are made out wrong. They forget to put the dollars or they're not used to writing a check for \$1,500 say and they make the dollars out to cents and they have to return that check, often out of state. When it comes back it is late and with twelve percent interest that can add up to about a dollar twenty in two days, which makes it over the limit. This is just a tool that the tax collectors have asked for to make their job easier and more flexible.

Adopted. Ordered to Third Reading.

TAKEN FROM THE TABLE

Senator Podles moved to take HB 259-FN off the table.

Adopted.

HB 259-FN, permitting selectmen to set fees. Inexpedient to Legislate. Senator St. Jean for the Committee.

SENATOR ST. JEAN: HB 259, nobody showed up for this piece of legislation and it was the feeling of the Internal Affairs committee, seeing that nobody showed up for it, we found it to be inexpedient to legislate. Although Senator Currier did explain to me that this is an important piece of legislation and, so, at this time I defer to Senator Currier for a motion.

Senator Currier moved to substitute ought to pass for the committee report.

SENATOR CURRIER: Basically this is enabling legislation. Town selectmen at the current time are setting permits and fees and licenses. However, there is really no statutory authority for that and

what this does is clearly outlines a procedure for adopting fees and licensing fees at the town level. By giving the town authority to tell the selectmen that they can set these fees after public hearing. I request that the full Senate go along with ought to pass.

SENATOR PODLES: I rise to oppose the motion of ought to pass. It did not have a public hearing and I would suggest that the bill be recommitted to committee.

Senator Bartlett moved to lay HB 259-FN on the table.
Adopted.

Senator Podles moved to take HB 494 off the table.
Adopted.

HB 494, relative to the transition period for a new state treasurer and a new secretary of state. Ought to Pass with Amendment. Senator St. Jean for the Committee.

SENATOR ST. JEAN: The Secretary of State came before the Internal Affairs committee and what this legislation does is, it sets up a three to four week period in time when there is a new election for the Secretary of State, that the individual will have some time to prepare for their new duties. As it is now, at the time of their election they would immediately be the Secretary of State or the Treasurer. This sets up a leeway where they have a period where they can figure out their responsibilities.

The amendment sets up a date certain under which they would take upon their new responsibilities.

AMENDMENT TO HB 494

Amend the bill by replacing all after the enacting clause with the following:

1 Duration of Office; Transition. Amend RSA 5:1 to read as follows:

5:1 Department; Secretary; Election and Bond; **Transition.**

I. There is hereby established a department of state under the executive direction of the secretary of state. The secretary of state shall be chosen biennially in the manner directed in the constitution and in accordance with RSA 14:2-b **and shall hold office until a successor is elected and assumes the duties of the office.** The penal sum of his bond shall be \$10,000, and the sureties upon it must be satisfactory to the governor and council.

II. The term of office for the new secretary of state shall begin on the first Wednesday following the first Tuesday in January. The new secretary of state shall assume the duties of office upon taking the oath of office.

III. It shall be the duty of the outgoing secretary of state to make available to the new secretary of state all official documents and vital information necessary for a full and complete understanding of the operation of the department of state.

2 Duration of Office; Transition. Amend RSA 6:1 to read as follows:

6:1 Election; Transition.

I. The state treasurer shall be chosen biennially in the manner directed in the constitution and in accordance with RSA 14:2-b and shall hold office until a successor is elected and assumes the duties of the office.

II. The term of office for the new state treasurer shall begin on the first Wednesday following the first Tuesday in January. The new state treasurer shall assume the duties of office upon taking the oath of office.

III. It shall be the duty of the outgoing state treasurer to make available to the new treasurer all official documents and vital information necessary for a full and complete understanding of the operation of the office of state treasurer.

3 Effective Date. This act shall take effect 60 days after its passage.

Amendment adopted. Ordered to Third Reading.

ANNOUNCEMENTS

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage and all titles be the same as adopted and that they be passed at the present time.

Adopted.

Third Reading and Final Passage

HB 272-FN, relative to Pike's school in Haverhill, N.H.

HB 102-FN, relative to the department of libraries, arts and historical resources.

HB 336, relative to senior citizen bingo games.

HB 512, relative to zoning ordinance protest petitions.

HB 110-FN, relative to low and moderate income housing.

HB 359, relative to statements of minors in civil cases.

HB 455-FN, relative to appeals in child abuse or neglect cases.

HB 31, recodifying the laws pertaining to the elderly.

HB 97-FN, relative to eligibility for public assistance.

HB 107-FN, relative to food service licensure.

HB 507-FN, relative to child care.

HB 182-FN, reclassifying certain highways in the towns of Carroll and Belmont.

HB 454-FN, relative to the interest due on property tax bills.

HB 494, relative to the transition period for a new state treasurer and a new secretary of state.

Senator Dupont moved that the Senate be in recess until Thursday, March 23, 1989 at 1:00 p.m. for the sole purpose of introducing legislation, referring bills to committee, and scheduling hearings.

Adopted.

Recess

Thursday, March 23, 1989

Out of Recess.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, March 23, 1989 at 1:00 p.m..

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Thursday, March 23, 1989

The Senate met at 1:00 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we thank you for giving us hope and the renewal of our lives through the message of Easter. May we, here in the State House, provide hope to our people to meet their needs to the best of our abilities. Happy Easter to you all and your families.

Amen

Senator Freese led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 11-FN-A through 762-A and HCR 2, 3 and 5 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 11-FN-A, relative to the payment of a claim against the state and making an appropriation therefor. (Finance)

HB 24-FN-A, relative to the bicentennial commission. (Public Affairs)

HB 28, prohibiting internal combustion engines on Willand Pond in the cities of Somersworth and Dover. (Development, Recreation and Environment)

HB 66, relative to health maintenance organizations. (Insurance)

HB 111, relative to moorings. (Development, Recreation and Environment)

HB 112-FN, relative to enforcing the boating laws. (Transportation)

HB 118-FN, relative to collision damage waiver. (Insurance)

HB 119-FN, making technical changes in certain revenue statutes for the department of revenue administration. (Ways and Means)

HB 175, relative to bail commissioners' fees. (Judiciary)

HB 177, authorizing local authorities to reduce the speed limit in business and urban residence districts. (Transportation)

HB 184, relative to driving left of center of roadways. (Transportation)

HB 206, prohibiting the use and operation of petroleum-powered boats on Bradley Lake in the town of Andover. (Development, Recreation and Environment)

HB 222, limiting horsepower of motors on Indian Pond in the town of Orford. (Development, Recreation and Environment)

HB 237, relative to eviction of tenants with AIDS. (Public Institutions, Health and Human Services)

HB 238, permitting competent adults to nominate their own guardians in case of future incapacity. (Judiciary)

HB 244-FN, allowing museums to obtain title to property loaned for an indefinite time. (Interstate Cooperation)

HB 270-FN-A, relative to motorcycle safety, establishing a motorcycle rider safety fund, and making a continual appropriation therefor. (Transportation)

HB 273-FN, authorizing the transfer of sick and annual leave and longevity credit for certain state employees. (Executive Departments)

HB 320-FN-A, relative to the penalty for overdue payments under the interest and dividends tax. (Ways and Means)

HB 325, relative to disciplinary actions against veterinarians. (Executive Departments)

HB 353, prohibiting the use and operation of ski craft or hovercraft on Canaan Street Lake in the town of Canaan. (Development, Recreation and Environment)

HB 375-FN, relative to long-term care insurance for the elderly. (Insurance)

HB 402-FN, relative to the state archivist. (Executive Departments)

HB 467, relative to discharges of mortgages. (Judiciary)

HB 471, regarding review of developments which may have regional impact. (Internal Affairs)

HB 477, relative to housing standards ordinances. (Public Affairs)

HB 488, relative to regional cooperation on solid waste disposal. (Development, Recreation and Environment)

HB 502, relative to disclosure of mental health information. (Public Institutions, Health and Human Services)

HB 546-FN, relative to the water protection assistance program. (Development, Recreation and Environment)

HB 554, relative to the advisory council on the sale and fitting of hearing aids. (Executive Departments)

HB 617-FN, relative to the public utilities commission appointing a receiver for a public water utility. (Internal Affairs)

HB 655-FN, to permit a credit or cash refund for overpayment of taxes or other charges owed by an insurer. (Insurance)

HB 676, relative to the operation of OHRV's on rights-of-way. (Transportation)

HB 728, relative to water conservation plumbing fixtures. (Public Affairs)

HB 748, relative to anatomical gifts accepted by medical or dental schools. (Interstate Cooperation)

HB 755-FN, establishing a committee to study shoreline protection. (Development, Recreation and Environment)

HB 34, correcting references in the law relating to the division of water resources. (Executive Departments)

HB 40, relative to intrastate motor carriers. (Transportation)

HB 67, specifying the rulemaking authority of the commissioner and the directors of the department of environmental services. (Executive Departments)

HB 70-A, establishing a study committee to examine the vocational education system. (Education)

HB 77-FN, relative to the pharmacy board. (Executive Departments)

HB 80-FN, relative to land under the jurisdiction of the wetlands board. (Development, Recreation and Environment)

HB 117-FN, relative to feeding garbage to swine. (Development, Recreation and Environment)

HB 218, permitting a person to be the candidate for only one party. (Internal Affairs)

HB 248-FN, establishing a study committee on deinstitutionalization in New Hampshire. (Public Institutions, Health and Human Services)

HB 254-FN, establishing a study committee to examine issues relative to the great ponds in the White Mountain National Forest, access to public waters, and control and maintenance of public boat ramp sites. (Development, Recreation and Environment)

HB 267-FN, relative to vicious dogs. (Judiciary)

HB 302-FN, relative to the setting of the deer season. (Development, Recreation and Environment)

HB 313, relative to Carroll county attorney. (Public Affairs)

HB 373-FN, relative to the use of automatic telephone dialing systems. (Public Affairs)

HB 377, relative to a statement of policy on pregnancy and repealing criminal penalties for persons performing abortions. (Judiciary)

HB 384-FN, establishing a task force to review the recommendations of the Manchester airport and highway study. (Capital Budget)

HB 445, recodifying certain water laws. (Executive Departments)

HB 457, relative to municipal regulation of forestry. (Public Affairs)

HB 472, relative to appeals to the zoning board of adjustment. (Public Affairs)

HB 473, relative to building codes in municipalities. (Public Affairs)

HB 476, relative to holding special meetings concerning emergency expenditures for towns, village districts, and school districts. (Public Affairs)

HB 497, relative to financial responsibility for hazardous materials accidents. (Interstate Cooperation)

HB 503, relative to business and voluntary corporations. (Public Affairs)

HB 509-FN, authorizing industrial development financing for the Manchester Airport. (Capital Budget)

HB 531-FN, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places. (Executive Departments)

HB 533-FN, relative to the custody and impoundment of certain dogs. (Public Affairs)

HB 537-FN, authorizing the town of North Hampton to collect taxes for one 18-month accounting period. (Public Affairs)

HB 553, relative to the Wentworth-Douglass Hospital charter. (Public Affairs)

HB 571-FN, establishing standards for mediators. (Judiciary)

HB 582-FN, relative to a committee to review surface water use restrictions on the public waters of the state. (Development, Recreation and Environment)

HB 593-FN, relative to collective bargaining. (Executive Departments)

HB 608-FN, establishing a study committee to examine the procedures of siting, licensing and operation of energy related facilities. (Internal Affairs)

HB 629-FN, relative to gravesites. (Public Affairs)

HB 661-FN, relative to notification to downstream municipalities concerning effluent discharges. (Development, Recreation and Environment)

HB 664-FN, transferring enforcement authority over the equal pay act from the labor commissioner to the commission for human rights. (Internal Affairs)

HB 708, relative to the Free Trade Agreement between the United States and Canada. (Interstate Cooperation)

HB 762-A, making supplemental appropriations for fiscal year 1989. (Finance)

HCR 2, declaring a New Hampshire Scottish Heritage Week. (Public Affairs)

HCR 3, petitioning the United States Congress for a national recycling policy. (Development, Recreation and Environment)

HCR 5, encouraging businesses and industries in New Hampshire to offer "good student" discounts. (Education)

COMMITTEE REPORTS

HB 247-FN, relative to the transfer of funds for turnpikes from the general reserve account. Ought to Pass. Senator Roberge for the Committee.

SENATOR ROBERGE: (tape inaudible)

Adopted. Ordered to Third Reading.

HB 27, prohibiting hunting in a specified portion of the town of Bow with any firearm other than a shotgun, muzzle loading rifle, or bow and arrow. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: The town of Bow went through this legislative process several years ago with a certain section of their town and this is merely a bill to expand those boundaries. There was some question in the committee as to why a bill such as this, which is obviously very much of a home rule bill, should come through the legislature. The answer to that question is then that it gets printed as law in the laws that go out to every hunter and thus insures that hunters at least have been informed as to where the new boundaries are.

SENATOR HEATH: Senator, what was presented as to the reasons for this?

SENATOR MCLANE: That there have been two large housing developments that have gone into these two new sections of Bow. They felt that the same thing that applied before, that in a congested area you didn't want to have hunting and the congested area has moved out with growth in Bow.

SENATOR HEATH: Were there any incidents cited as to the problem?

SENATOR MCLANE: Yes, there were. Both the police chief and the other policemen were there and they felt this was a necessary expansion of those boundaries.

SENATOR HEATH: Were there any incidents cited?

SENATOR MCLANE: I can not recall a specific incident where a gun had been set off next to an area that was congested. But, it was the belief that they would be and it was also the belief of the planning board and the police chief.

SENATOR BOND: In answer to your question, Senator Heath, the chief of police said that he has been receiving complaints and they chose not to close the whole town to rifle, but to take those two areas that have had considerable growth, and an increase in population and density, and to go from what was about a third excluded from rifle to about two-thirds excluded, there will still be a third of the town that will be available to rifle hunting.

Adopted. Ordered to Third Reading.

HB 37, relative to taking of raccoons. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill updates some archaic language that dealt with the intensity of lights that can be used for hunting raccoons. It uses the term kerosene lanterns and this isn't used anymore. So, the Department of Fish and Game suggested that it be clarified to read; any light as long as it's not attached to an automobile. I urge the Senate's adoption to the committees report.

Adopted. Ordered to Third Reading.

HB 99-FN, relative to establishing a uniform fine schedule for fish and game law violations. Ought to Pass. Senator Bond for the Committee

SENATOR BOND: HB 99 authorizes the executive director of the Department of Fish and Game to adopt the uniform fine schedule for violations under Title 18, Fish and Game Laws. It also permits the defendant to plead guilty or nolo contendere and pay the fine by mail; similar to motor vehicle violations now. It has been done on the motor vehicle violations filing form under the line "other" and it's the opinion of the Attorney General that that probably is not acceptable. So, this would in fact make it possible with a fixed set of fines throughout the state to file by mail.

Adopted. Ordered to Third Reading.

HB 212, relative to the board of chiropractors. Ought to Pass. Senator Disnard for the Committee.

SENATOR DISNARD: This is a chiropractic bill and you may be personally surprised to realize that both sides have agreed to this bill. Therefore, it is not a controversial bill. The bill does two things. Number one, it corrects a mistake that was made by the Secretary of State. It was moved under his jurisdiction and it was missed when the laws were rewritten. However, I'm pleased to have you note that the amendment in the House strengthens and increases the amount of hours of retraining or whatever term you want to use, that the chiropractors must have each year. Presently, under the present law, a chiropractor may go for a weekend seminar at the Red Jacket and that would be included as 20 hours of training. Now this is up to a board to determine exactly how the 20 hours are to be administered and, we always say to get a vote that this is a consumer vote; well, I can honestly say that this is a consumer bill.

Adopted. Ordered to Third Reading.

TAKEN FROM THE TABLE

Senator Dupont moved to take SB 205 off the table.

Adopted.

SB 205, relative to establishing the New Hampshire energy authority and making an appropriation therefor. Ought to Pass. Senator Dupont for the Committee.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: You have before you the amendment which basically does a couple of things. One, we have obviously received back from the court an answer to our question, relative to the issue of evaluation of utility property. The amendment that deals with evaluation has taken that question, that was answered by the court, and basically provided the necessary language to make sure that what we're doing in that section is constitutional. On the first page there is also a change that we have worked out with the cooperation of the Governor's office dealing with what constitutes a quorum. There was some concern that any major action that the board takes should have a four-fifths confirmation vote because of the seriousness of what this board is dealing with. There is a clarification on the tax exemption and payment in lieu of taxes that was also put into the amendment. Finally, when we passed the original bill you will remember that we allowed for municipalities to acquire the assets of a utility in their community and on the last page, page 3, we have taken the municipal revenue bond chapter and added in a provision for generating, transmission, or distribution of electricity, a provision that allows them to go out and sell revenue bonds to pay for that acquisition.

What is important for you to consider today really is one issue, that I think, is of significant importance if we look just narrowly at the bill and that is that the intent of the bill has been ballyhooed as being a way for us to acquire PSNH. I think it not only has that ability, but that should be downplayed and what we should look at is the ability if, in the event that this legislation was necessary, it doesn't necessarily mean that we will acquire the utility. It means that we might provide municipalities an opportunity to acquire their utility assets and that should really be what you focus on today. We are in the negotiations stage at this point in time. I think this sends a clear message today to the people that are involved in the bankruptcy that the State of New Hampshire is serious about resolving this

issue. It provides us with some additional leverage; it's something that would be taken seriously by the creditors. I can assure you that the banking houses that provide for the issuance of financing for utilities have been in contact with me. They have wanted to follow this bill and follow the amendments to this bill because it does play a significant role if an acquisition took place, concerning the company, whether or not the company that acquired PSNH would be able to arrange financing as a result of this legislation to be on the books.

It's certainly some protection for our consumers and I certainly, as you know, have not taken this piece of legislation lightly. It has had major concern to me because of the departure from the traditional New Hampshire ways of doing things, but I think we certainly are in a position right now that provides us with no alternative and I urge my colleagues to recognize this bill as an important step in resolving the bankruptcy of PSNH.

SENATOR JOHNSON: Senator Dupont, I'm looking at the tax exemption and payments in lieu of taxes section. My question is this; can you assure me, on behalf of the citizens of Bow in particular and Deerfield also, that their revenue from taxes will not be adversely impacted by the passage of this amendment?

SENATOR DUPONT: Senator, one of the things that we recognized early on in drafting this legislation is that PSNH is the largest taxpayer in the state and there would be major consequences if the assets were acquired and there was an exemption in property taxes. So, we recognize that in lieu of taxes, if this authority ever went into play, that it would have a responsibility to the local communities to insure that those payments continue. There will be no impact.

SENATOR STEPHEN: Senator Dupont, are you saying that the rate payers wouldn't be harmed in this?

SENATOR DUPONT: Senator, the whole intent of this legislation is to protect the rate payers in the State of New Hampshire. Whether or not there are any guarantees as to whether there'd be any harm to the rate payers I feel is premature to judge at this point in time, but the intent of this is to provide the State of New Hampshire an opportunity to protect the rate payers if it ever turned into a situation that was not beneficial to the rate payers of the State of New Hampshire.

SENATOR STEPHEN: As far as the members on this authority that have been appointed, wouldn't you think that the PUC should have some involvement?

SENATOR DUPONT: Senator, any rates, as you know at the present time, are determined at the PUC, but we have to assume that this authority, owned by the citizens of the State of New Hampshire, would have the interest of lower electric rates as part of its charge. It would not have those functions that require you to regulate a utility such as determining what the level of profit would be which is that there is not going to be any profit. There is no need for a return on an investment which you have in a traditional utility regulatory function. So, there are a number of things that have to be regulated by the PUC that wouldn't be present under this type of operation.

SENATOR STEPHEN: Senator Dupont, by what little I've read here, the PUC would not be involved in this as appointees?

SENATOR DUPONT: They are involved in the legislation because they take a look at the valuation of utilities' assets that are required. But, in the bill you will find that it talks about traditional rate making authority and that authority is no longer going to be with the PUC, but they will use the same methodology in establishing rates.

SENATOR NELSON: Senator Dupont, I notice on the front page with the analysis, it says additional funds as necessary are continually appropriated by this authority. What does that mean, as needed? I'd just like to get some clarification that we're not going to be buying into this three million and continually suggests to me a long period of time.

SENATOR DUPONT: Well, Senator, what it basically says is that there are some unknowns out there in terms of what the cost of acquisition, if we ever get to that point, would be. The bill provides some funds for the energy authority to be established and it also provides that revenue bonds will be issued to pay for the acquisition of the utility or any part of the assets and we don't know what that number might be. Until such time that the revenue bonds are established, it may require additional borrowing to provide the necessary funds. Then, it would automatically, as a result of the bill, be repaid to the State of New Hampshire's general fund. While there might be some upfront costs, the bill provides that all those will be paid back.

SENATOR NELSON: Sir, you have mentioned now on several occasions that if this happens, this is a major step in state policy. I don't know what the other states do; I know some elect their public utility people; anyway the question is this: you're taking a major step on

the part of New Hampshire, what contingency plans do we have in place if, in fact, the state has to implement this and it's more than a bargaining chip?

SENATOR DUPONT: Senator, in light of what I think is happening in terms of our negotiations with the parties involved, in light of what's been happening at the bankruptcy courts which has been very favorable in the last few weeks, I would say that the lasting opinion on whether I place a bet on whether the authority will ever be necessary, I'd probably bet against that. However, I think you always have to plan on the worst happening and the worst happening is that the state might be required to take action under this language. It provides, first off, for an executive director which would have to be hired, an appointment by the Senate President and the Speaker of the House and three appointments by the Governor. Now, you assume that the Senate President and our Speaker are going to appoint rational people that are going to act in the best interest of the State of New Hampshire. You have to remember that this bill is being passed to protect the best interest of the State of New Hampshire. I don't think there is anyone in the State House or anybody in this room that wants the State of New Hampshire in the utility business. I don't think there's anybody in this room that would like to keep the State of New Hampshire out of the utility business any more than myself. But, I think in terms of necessary protection of our constituents, if you don't pass this bill and we get to the point where things start to turn to the worse for the State of New Hampshire and its rate payers, then I think we're going to be remiss in our responsibilities to our constituents.

SENATOR NELSON: Senator Dupont, as we're living in the world of the hypothetical now, and if things should get worse and there are no guarantees to my constituents in Nashua that their rates won't go up, there are no guarantees that this won't cost billions and billions of dollars; why do we have to do it today? Why are we not waiting? Why does it have to be done today, why aren't we just watching the situation and say, towards the end of the session, begin to do this.

SENATOR DUPONT: Well Senator, I think things are going to move very quickly in the next month on and I think it is important, first off, for this legislature to have a position that our negotiating team can take in to the negotiating room with the parties involved to say that we are serious about getting this bankruptcy resolved. I'll make the statement that I'm not afraid of saying: I think one thing that you can be sure of is that electric rates in New Hampshire are going to go up. I don't think there's any question, whether we pass

this legislation or not, that is probably almost going to be a certainty. I think you have to recognize that and make sure that your constituents are aware that to get this company out of this bankruptcy is going to require a rate increase.

SENATOR NELSON: On page 6, line 20 of the bill, roman numeral 14; we're talking about the taxpayers of the State of New Hampshire absorbing this cost which is why it is imperative that we get these questions answered, I think. It says you want to procure insurance against any loss. What would it cost to insure this kind of a situation by the state?

SENATOR DUPONT: Senator, the language that you're talking about is language that allows the authority to act like an authority and you certainly don't want trucks out on the highways without insurance and you wouldn't want employees operating without workmen's comp. insurance or any other thing. It's just statutory language that's used. If you set up a ski area, for example, under authority you would have this same language to provide them to do all of these things that you would have to use to conduct normal business. This is just language that would allow this authority, if it ever went into place, to conduct business just like any other public authority conducts business.

SENATOR BASS: Senator Dupont, a lot has been made in the power section of the bill, the authority being able to take over the assets of Public Service Company of New Hampshire by eminent domain. Aren't there other sections of this bill, though, that are of equal significance? I'm thinking specifically now of the section which allows this authority to purchase power from other sources besides Public Service Company and in effect, creating a market for electric energy, which may in effect do more than anything else to keep electric rates in the state competitive?

SENATOR DUPONT: There's no question about that, Senator Bass. If you look to other states, some states have power authorities whose only role is to be a conduit for outside sources of power, which have been distributed to the utilities in the state. So, there are really some positive benefits there; there are some benefits that can be passed on and not just to customers of our bankruptcy utility, but if need be, to other utilities that operate in the state. So, this document, although it's construed to be a vehicle for a takeover of one utility, could provide some benefits that go beyond the immediate crisis that we're in and might provide a vehicle in the future to provide our consumers in the state with reliable, cost effective electricity.

SENATOR DISNARD: I know how my ancestors felt in Chelsea many years ago, when the molasses plant burned and they felt they were being swamped. But, I realize that I have to say something. Members of the Senate, I've been accused of being a closet Republican and I don't understand all the training you people have given me why we should take from private industry and think we, the State, have the ability to operate with cost effective expertise a private industry. Here I am, the Chairman of the Education Committee, I sat in on Senator McLane and Senator Krasker's meeting this morning and I heard about the poor people and I agree. People are losing their homes because of high taxes. I feel sorry for the handicapped. In the budget, there's no three million dollars. Are we going to take this from the handicapped? Are we going to take this three million dollars from the poor? Are we going to take this money from the taxpayers, from schools? Think about these things. I realize that the molasses is still thick out there. Co-generation; I understand that many industries in this state are thinking of co-generation. If that happens, I hear you people say that you want to help the taxpayers, I'm going to ask you the question, who protects? Who protects the taxpayer? If we had co-generation, the poor taxpayers aren't going to bear the cost of what happens and I have a feeling for them. Also, I heard your leader once say, if it walks like a duck and it speaks like a duck and it quacks like a duck, it must be a duck. And I'm just wondering what's happening here today.

SENATOR DUPONT: Senator Disnard, if you go through the bill, and I would urge you to do that, are you aware that this entity, if it was ever formed, would be self supporting, that it's debt would be paid for out of the revenues of the entity and would not impact our ability to pay for education or any other services of the state?

SENATOR DISNARD: I'm glad you asked me that, Senator; because that's one of my main points, thank you. You know what I've been told by members of this room? We want the three million for leverage. I don't think we should take three million from the poor just for leverage.

SENATOR PRESTON: I'd like to commend my idealistic colleagues, Senators Nelson and Disnard, for asking very sincere questions, but I've been around here a little longer and when you've got the votes, you've got the votes, guys! Republicans can't understand that because you pick up the paper this morning and you know we're going to lose 20 to 4. We have to stand up and speak in principle which I'd really like to commend you for.

For the sake of brevity and to accommodate some of my colleagues that are urging me not to say too much, I'm not going to ask a lot of questions of the majority leader, I don't want to embarrass him with a lot of questions that I don't think would achieve anything frankly and I've so notified him of that. Just a couple of comments and then I just want to speak to the bill itself. But, in the amendment I'd like to commend the courts because in New Hampshire, anything the state does for its rights-of-way and highways, when you take something by eminent domain you should pay a fair price and that's essentially what the Supreme Court said; that you can't arbitrarily place a price out there and, Public Service, or Digital or Dupont Fuels or anyone else deserves a fair market value for whatever it might be and those estimates vary from seven hundred million to billions, so I think you should be aware of that. I'm an admirer of Don Pfundstein, the attorney for the Senate President, and I like his analysis here. He talks to the amendments and the courts and the fair market value. It says, the other amendments, even though they were not required by the court's decision, were worked out by agreement to maintain the support of certain interest groups. I think that's accommodating and that's good political judgment and I commend you for that. I'd just like to say that philosophically, I just want to make it very clear that my opposition to this bill, as you all know, is grounded in the traditions of the State of New Hampshire. This is unlike Granite Staters; it's unlike the politicians of the Granite State because our private enterprise system works and it works well. The preamble of this bill makes the assumption that private enterprise has failed. I don't agree with that, I don't think you agree with it. There are companies out there lining up to take over; the first thing our freshman Governor does is rush to have the state take over an authority with his bargaining chip bill. The Governor needs this bill and, how many times have I heard this in the last few days, that we may embarrass Preston on this one, but we've got 20 votes. That should never be the consideration of any responsible Senator on an issue such as this. To the citizens of the State of New Hampshire, do they need this bill? I think that's the question that we should ask ourselves. This political authority is the biggest blank check that I've witnessed in my nine terms up here. I think some of my colleagues and the Dean of the Senate would agree with me on that. I've never seen such power indiscriminately given to five political appointees. Unlike the PUC, they have no spelled out qualifications to serve in this new post. This point was brought up at public hearings and was not addressed by the Governor nor the committee itself. The public power authority is not bound by the anti-CWIP legislation. It's been argued that this bill is simply a back door to CWIP. I have an amendment that I just want to put you on record to say; that's not going to happen and I

urge your support. I ask you to keep this in mind today when I present the amendments. Nothing in this bill would prevent the five directors of this company from taking over Seabrook. I think this would be a very disastrous thing for the State of New Hampshire to do and how do we know what the directives will be of the five commissioners?

Before I begin my opposition to SB 205, I think you should know what we're actually debating. It's a call for the State of New Hampshire to possibly get into the business of making and selling electricity. It's to be used to move the face of the state to even break up a franchise of the Public Service Company of New Hampshire. This is a new state agency which will become a bureaucratic utility company just for the sake of being a bargaining chip of our Governor. My opposition to 205 is founded most practically in the philosophical feelings and the political grounds. The sponsors of this were very, very clever. They spent a lot of time and effort out there with the BIA who sent in a weak-kneed resolution this week and, in their hearts, there isn't a member of the BIA that could honestly say they want to take over private enterprise. I say they were coerced into it by the Governor and his leaders. We are creating the biggest bureaucratic agency in the State of New Hampshire in giving them the authority to go out and spend money, maybe three to four times what the entire budget of the State of New Hampshire is. I just want to make it clear that the biggest practical problem with this bill, many of those will be voting for it today, is some kind of a paper tiger. They feel it's a real bargaining chip and I tell you that three million dollars is a very serious bargaining chip. When I left home this morning, my wife told me that this is Holy Thursday, you should be nice today!! It's Easter week and I'm glad I'm debating today instead of Good Friday! I went to breakfast and read the paper that said we were going to lose 20 to 4 and I know that it's not a partisan issue or democrats vs republicans; that's not so. It's a philosophical one. I know a lot of people in this room that would like not to vote for that. The issue is one of principle. The issue is the statement this Senate is making and does the State Senate want to establish such a precedent. As the democrat leader, I have no concern of the embarrassment by the final tally on the floor here today. I've been known to stand on a few other issues that came up not too many years ago and proved to be right on occasion and I know I am today. I think the real embarrassment here will be suffered silently as you sit and vote, doing what you're told to do only to qualify to the charms and the embraces of the Governor's favors! Wasn't one of the reasons, really, to intimidate Public Service Company of New Hampshire from going the FERC route, increased rates and coming out of the

blanket? That's now a moot question. So, I just respectfully ask you and tell you that as you vote today, your 20 to 4 or 19 to 5, whatever it is, that's insignificant; it's the precedent that you're establishing regarding private enterprise and yes, Senator Dupont, I still think it's socialistic.

SENATOR DUPONT: Senator Preston, I wanted to know if you're aware that one of the credited committees is leaning towards putting in their own plan that would call for FERC regulation and for an end run around the CWIP statute that you so eloquently defend and I didn't know if you were aware of that, so that the potential of FERC may still out there.

SENATOR PRESTON: That's right Senator, and I'm glad you brought that point up because my amendment here says that if they don't go for it - your bill - then we'll do away with the authority, but the protection will be in this amendment.

SENATOR CHARBONNEAU: I do not like what Senator Preston has said and insinuated. I think each and every one of us has a conscience and each and every one of us has constituents to work for. So, I am, I'm very upset with what he has said.

SENATOR DUPONT: I apologize for getting up on my feet a second time on this issue because it really has been discussed so much that I think we all know what we're voting on today. I just wanted to respond to one point that was raised. I think I bring to you today one point of consideration. In a perfect world, we wouldn't need this legislation. I can assure you that in a perfect world we wouldn't have a bankrupt utility and we wouldn't have a concern about what electric rates are going to be in the State of New Hampshire and I like to stand here thinking I'm as much a free enterprise person as anyone in this room. I take pride in the fact that I think private industry can do a much better job than the government on anything. The esteemed chairman of education, perhaps, we ought to consider whether or not we should privatize our education industry if you're such a fan of privatizing. There are a lot of examples that we could make, and some good cases for why we shouldn't pass this today, but I really think that you need to put into perspective that there is a great deal of exposure out there for the State of New Hampshire at the present time and while we all will hope that this will never need to be used, it is an insurance policy for the citizens of the State of New Hampshire and I urge my colleagues to support this legislation.

Floor Amendment to SB 205-FN-A

Amend RSA 362-B:4, IV as inserted by section 1 of the bill by replacing it with the following:

IV. Four members of the board shall constitute a quorum, provided that a minimum of 4 affirmative votes shall be required for any action of the board.

Amend RSA 362-B:5, XXIII as inserted by section 1 of the bill by replacing it with the following:

XXIII. To provide, subject to the approval of the governor and council, grants or loans to municipalities for the purpose of conducting feasibility studies relative to the establishment of municipal electric systems, pursuant to RSA 38. Nothing in this paragraph shall be construed to apply to a municipality unless that municipality is located within the service territory of an electric utility that has been found by the authority to be in "severe financial distress."

Amend RSA 362-B:12 as inserted by section 1 of the bill by replacing it with the following:

362-B:12 Valuation. In determining the amount of just compensation, the commission, and if an appeal is taken, the court shall consider all relevant evidence as to the value of the property taken; including, but not limited to, relevant evidence on the impact of utility regulation on the value of the property so taken.

Amend RSA 362 as inserted by section 1 of the bill by replacing it with the following:

362-B:32 Tax Exemption and Payments in Lieu of Taxes. The properties of the authority are declared to be public property and shall be exempt from all taxes and assessments of the state or any of its political subdivisions. In lieu of the franchise tax provided under RSA 83-C, the authority shall pay over to the state general fund at the times and in the manner provided in RSA 83-C one percent of the gross revenues of the authority derived from the business of selling electricity at retail within the state. In lieu of real estate taxes, the authority shall pay to each municipality in which its properties are located amounts equal to the amounts that would have been paid as ad valorem taxes in respect of such properties had they been owned by a private utility. Such payment shall be made at the times and in the manner prescribed for ad valorem property taxes for private electric utilities and shall be based on the valuation of its

properties determined by the respective municipality for such purpose, subject to any equalization or proportionality factor to be applied within such municipality. If the authority determines that any valuation made by a municipality is excessive, it may seek a reduction of the valuation by following the procedures prescribed in RSA 76 for the abatement of taxes.

In lieu of the public utility assessment under RSA 363-A, the authority shall pay over to the public utilities commission amounts, as determined by the commission, which would have been due from the authority, if it had been a public utility subject to RSA 363-A.

Amend the bill by replacing section 7 with the following:

7 Municipal Revenue Bonds Authorized. Amend RSA 33-B:1, VI to read as follows:

VI. "Revenue-producing facilities" means water works, sewerage systems, sewage treatment or disposal facilities, solid waste disposal or resource recovery facilities, parking facilities, **facilities for the generating, transmission, or distribution of electricity**, and any other real or personal property or interests in a municipality owned or controlled by the municipality, from the operation of which revenues are or are expected to be derived by the municipality.

8 Effective Date. This act shall take effect upon its passage.

Roll Call requested by Senator Preston.

Seconded by Senator Stephen

The following Senators voted yes: Bond, King, Heath, Freese, Hough, Dupont, Currier, Disnard, Roberge, Blaisdell, Bass, Magee, Nelson, Charbonneau, Podles, Johnson, Stephen, Bartlett, St. Jean, Torr and Delahunty.

The following voted no: Senators Preston and Kraker.
Senator McLane voted Rule 42.

21 Yeas

2 Nays

1 Rule 42

Floor Amendment adopted.

Senator Preston offered a floor amendment.

SENATOR PRESTON: I'm not going to prolong the agony for those sitting here, Mr. President. Very briefly, the floor amendment simply asks that the New Hampshire Energy Authority live up to the anti-CWIP law that we have on the books. That's all that it does. That construction work in progress shall not be allowed. Period. That's the amendment that I present to you.

SENATOR DUPONT: I will reaffirm what Senator Preston has said. All the floor amendment does is prohibit the authority from putting construction works and charges in the rate base. The second thing, which the bill doesn't say, is that it will also provide for the inability of this authority to ever sell any bonds if it has to. Quite simply, if we talked about building highways as this legislation is portrayed, the highway projects in the State of New Hampshire would come to a halt, all sewer projects, all water projects and any bridge construction. Because today when you pay your property taxes and when you pay your tolls on the highways, you're putting in to the kitty money to be used for the construction of projects that are ongoing. This power authority would not have the ability to do one single thing in terms of constructing capital projects if this passes. So, I would urge my colleagues, while I agree with the honesty of Senator Preston, to tell you that it only makes the authority come into line with the anti-CWIP statute, it basically provides for a halt, if the authority ever goes in to play, a halt in the ability of the authority to effectively operate.

SENATOR NELSON: Senator Preston, if this does not pass, is there any conflict with the present statute or that just rules out that whole CWIP thing?

SENATOR PRESTON: Senator, as I read the original bill with its amendment, this commission has open license to. They don't have abide by CWIP or anything else the way I read the bill. I just want to protect the rate payers as best we can.

SENATOR NELSON: Are you saying, Senator Preston, that the present law, on the books, anti-CWIP legislation on the books, now would not apply?

SENATOR PRESTON: I'm saying to you that in my opinion these five members of this authority would have the right to circumvent and go around them, the statutes that we now have on the books.

SENATOR FREESE: Senator Dupont, does this amendment by Senator Preston, has it been discussed with bond counsel?

SENATOR DUPONT: Senator, I will assure you that we have discussed this issue with the bond counsel that has advised us on this bill and they have told us in no uncertain terms that you effectively eliminate the ability for any bonds to be sold under this piece of legislation if the anti-CWIP provision is in place. In essence, what you're saying is, if you have to go out and if you ever did have to use this power of authority and you needed to construct a power line for

somebody's house, you wouldn't be able to construct it. You wouldn't be able to charge for it until it was completed. It eliminates all aspects of financing savings that might prevail by being able to finance projects with revenues from your existing customers. And that's traditionally the way that we finance all of our interest construction improvements in the state. So, it runs counter to our way of doing things in state government that are cost effective.

SENATOR JOHNSON: Senator Dupont, notwithstanding what you're saying generally about the way we would finance highway construction and so forth; we do have an anti-CWIP bill out there and is it true that the way SB 205 is presently written would have the effect of the potential of undoing protection that some rate payers think that they have now in regard to anti-CWIP?

SENATOR DUPONT: Well Senator, I can only tell you that the protection that they have under the normal course of things under the anti-CWIP law is narrowly defined in terms for what it provides in protection. It merely says in the law that if a facility is not completed, then you don't have to pay for it. What I'm saying is that when you go down the turnpike and put fifty cents into the collection box you're paying for existing highway projects that are under construction. That is done because it's a way of lowering your cost for completing a project. If you didn't, you'd have to go out and borrow all the money up front, not just to pay for the construction, but also for the interest on the money that you borrowed.

SENATOR JOHNSON: Senator Dupont, isn't it true that if Senator Preston's amendment were adopted, that it would essentially confirm what is already in place in regards to CWIP?

SENATOR DUPONT: It would, Senator, with the exception that, which you're talking about now, is no longer talking about prohibiting a private company from building into the rate base. You have to assume that this entity, if it ever comes into place and again I reaffirm that I hope it never does. First off, there's no profit motive in this, there is no return to the investors in this entity. It's sole function will be to provide electricity at the lowest possible cost. If you say you can't charge the project as it is being constructed, then you basically take away from it one of the very things that it might be able to do to help keep electric rates down.

Roll Call requested by Senator Preston.
Seconded by Senator Nelson

The following Senators voted yes: King, Disnard, Blaisdell, Nelson, Johnson, Stephen, St. Jean, Preston and Krasker.

The following voted no: Senators Bond, Heath, Freese, Hough, Dupont, Currier, Roberge, Bass, Magee, Charbonneau, Podles, Bartlett, Torr and Delahunty.

Senator McLane voted Rule 42.

9 Yeas

14 Nays

1 Rule 42

Floor Amendment failed.

Senator Preston offered a floor amendment.

SENATOR PRESTON: In the interest of time that exists here today, I just want to go on to another floor amendment. We have supplemental budgets, they're talking about deficit spending, everyone's devoting their time and efforts to make certain that we get the most out of every dollar; I'm suggesting with this amendment that you pass it through with the sum of one dollar; that's what you're wishes are, when you send it to Senate Finance or to the other House and let them see what funds are available. Simple.

SENATOR DUPONT: We're sending this piece of legislation through this body, entering critical negotiations which, quite frankly, could end tomorrow or it might take a month and we don't have the benefit of time on our hands at this point in time. We need to get this legislation in place and make sure there are resources in it, if it's needed to be used, that the resources are available and available now. So, again I urge my colleagues to vote against this amendment.

Floor Amendment failed.

SENATOR PRESTON: I don't intend to challenge the chair and I wouldn't do that on this issue, but you know this should be referred to Finance as all the other bills with the FN-As attached to them have been. With all due respect to the Senate President, I plead with you don't ram this through with three million dollars. The Senate Finance chairman knows it should go to his committee; we've got agencies down there begging, begging for money. Students from the University of New Hampshire and voc-tech schools are appearing with threatened increases. We've got counties and towns that we've passed all these expenses off to; we've got people in child care on waiting lists; protection for retarded kids and you're going to ram this legislation through today without any hearing. Is this the three million dollars that you propose to take out of the sweepstakes fund that was to go to education? That you passed off to the towns? We're

in a deficit situation and we're cutting to the bone on some very sensitive human and educational issues. Even if you voted in favor of this legislation, and I respect our differences in that matter, don't prevent Senate Finance from looking at the three million dollars, see if they could get along with less for now, if you must, and see if we can help address a lot of problems. Is this your top priority?

SENATOR NELSON: I would strongly urge the Senate President to take the advice of the minority leader and give this a second look down in Senate Finance. It carries a figure of three million; it's usual that when we have money of this size, or even less, even less money than this, we send it to Senate Finance.

CHAIR: I appreciate the concerns of both of you. My position is that it will not go to Senate Finance. If you wish a vote of this body, you may request so.

Question: Ordered to Third Reading.
Adopted.

COMMITTEE REPORTS

HB 141-FN, relative to liability for expenses. Inexpedient to Legislate. Senator Podles for the Committee.

SENATOR PODLES: HB 141 is inexpedient because it is going to be merged into HB 142. They belong under the same section in a statute and this is what the committee decided to do.
Adopted.

HB 142-FN, relative to liability of expenses for the support and necessities of minors. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: The amendment is now the bill - HB 142-FN. HB 141 was merged into 142 and it requires that parents or guardians responsible for minor's support include in their financial statement any social security benefits, private insurance benefits or other information to help defray the cost associated with the child's placement. Also, the bill clarifies existing language to define the length of time the parents may be held for reimbursement. This legislation makes the system of parental reimbursement fair and consistent throughout the state. The committee recommends ought to pass as amended.

AMENDMENT TO HB 142-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Social Security and Insurance Benefits; Reimbursement Schedule. Amend RSA 169-B:40, I(c) to read as follows:

(c) The state shall have a right of action over for such expenses against the parents or the people chargeable by law for the minor's support and necessities. The court shall require the individual chargeable by law for the minor's support and necessities to submit a financial statement to the court upon which the court may make an order as to reimbursement to the state as may be reasonable and just, based on the person's ability to pay. **Such financial statement shall include, but not be limited to, any benefits received from the social security administration or insurance coverage available to the individual. The court shall include disposition of these benefits in its order as to reimbursement. Such reimbursement shall be established on a per month or per week basis and shall continue for a duration of time equal to the duration of time in which expenses are incurred on behalf of the minor by the state. The court's jurisdiction to order reimbursement shall continue until the obligation to reimburse has been fulfilled.**

2 Social Security and Insurance Benefits; Reimbursement Schedule. Amend RSA 169-C:27, I(c) to read as follows:

(c) The state shall have a right of action over for such expenses against the parents or the person chargeable by law for the child's support and necessities. The court shall require the individual chargeable by law for the child's support and necessities to submit a financial statement to the court upon which the court may make an order as to reimbursement to the state as may be reasonable and just, based on the person's ability to pay. **Such financial statement shall include, but not be limited to, any benefits received from the social security administration or insurance coverage available to the individual. The court shall include disposition of these benefits in its order as to reimbursement. Such reimbursement shall be established on a per month or per week basis and shall continue for a duration of time equal to the duration of time in which expenses are incurred on behalf of the child by the state. The court's jurisdiction to order reimbursement shall continue until the obligation to reimburse has been fulfilled.**

3 Social Security and Insurance Benefits; Reimbursement Schedule. Amend RSA 169-D:29, I(c) to read as follows:

(c) The state shall have a right of action over for such expenses against the parents or the person chargeable by law for the child's support and necessities. The court shall require the individual chargeable by law for the child's support and necessities to submit a financial statement to the court upon which the court may make an order as to reimbursement to the state as may be reasonable and just, based on the person's ability to pay. **Such financial statement**

shall include, but not be limited to, any benefits received from the social security administration or insurance coverage available to the individual. The court shall include disposition of these benefits in its order as to reimbursement. Such reimbursement shall be established on a per month or per week basis and shall continue for a duration of time equal to the duration of time in which expenses are incurred on behalf of the child by the state. The court's jurisdiction to order reimbursement shall continue until the obligation to reimburse has been fulfilled.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires that parents or persons chargeable by law for a minor's support and necessities submit information on social security payments as well as insurance coverage to the court for establishment of court-ordered reimbursement to the state. The bill also requires that reimbursement to the state be made on a weekly or monthly basis and continue for a length of time equal to the length of time the expenses were incurred on behalf of the child by the state. Amendment adopted. Ordered to Third Reading.

HB 10, relative to legalizing the Conway Village Fire District meeting of March 30, 1987, and to supervisors of the checklist for the Conway annual town meeting. Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: This does not legalize a meeting. As most of you know I oppose legalizing those times when people break laws and I would in this case, but this does not do it. That has been amended out. It just changes the way they appoint supervisors of the checklist.

AMENDMENT TO HB 10

Amend the title of the bill by replacing it with the following:

AN ACT

relative to supervisors of the checklist for the
Conway annual town meeting.

Amend the bill by replacing all after the enacting clause with the following:

1 Town of Conway; Supervisors of the Checklist. The checklist supervisors of the town of Conway may appoint the village district

commissioners for each district to serve as supervisors of the checklist for the annual district meeting.

2 Effective date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill allows the supervisors of the checklist of the town of Conway to appoint the village district commissioners to serve as checklist supervisors for the annual district meeting.

Amendment adopted. Ordered to Third Reading.

HB 369, relative to assumption of a town office after a recount. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill essentially clarifies the procedure whereby a candidate for local office assumes that office in a close election. That's all it basically says and that includes the amendment. Local officials will not assume office until the period for requesting a recount is over, which is three days and, if a recount is requested it will not be sworn in until the recount period is over, which is an additional ten days. I urge your support of the committee report.

AMENDMENT TO HB 369

Amend the bill by replacing section 1 with the following:

1 Assuming Office after Recount. Amend RSA 669:10 to read as follows:

669:10 Term of Office.

I. Except as otherwise provided, the term of office of any officer elected under this chapter shall begin upon his election and qualification for office and shall end upon the election and qualification of his successor.

II. No person shall assume a town office until after the time period for requesting a recount is over. If a recount is requested for a town office, no person shall assume that office until after the recount is completed.

AMENDED ANALYSIS

This bill prohibits a person from assuming a town office until after the time period for requesting a recount is over. If a recount is requested for a town office, no person shall assume that office until after the recount is completed.

Amendment adopted. Ordered to Third Reading.

HB 53, relative to syringes for diabetics. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: This bill is particularly aimed at assisting those people who are diabetic. At the present time, if they need a prescription for a syringe or any kind of a needle, they have to get a written prescription. This will allow the pharmacy to accept an oral request by a physician and it will also extend the life of this prescription from the current statute of six months to one year.

Adopted. Ordered to Third Reading.

HB 98-FN, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs. Ought to Pass with Amendment. Senator Bond for the Committee.

SENATOR BOND: HB 98 requires the Division of Human Services reimburse counties and towns for amounts paid out of general assistance funds for the cost of prescription drugs when the recipient is later determined to be eligible for state medical assistance, retroactive to the time when the general assistance was rendered. Right now someone will be found eligible for general assistance, but the town or county will have, in the interim, while a determination is going on, have been paying for prescription drugs. This simply allows the state to go back to the time when the application was made. It is not a large financial amount, but to the smaller communities, particularly, it's critical.

AMENDMENT TO HB 98-FN

Amend the title of the bill by replacing it with the following:

AN ACT

reimbursing counties and towns for general assistance funds
allocated to the cost of prescription drugs and
making an appropriation therefor:

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$8,275 from federal funds and the sum of \$8,275 from general funds for the fiscal year ending June 30, 1990, and the sum of \$9,102 from federal funds and the sum of \$9,102 from general funds for the fiscal year ending June 30, 1991, are hereby appropriated to the division of human services, department

of health and human services, for the purpose of funding section 1 of this act. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

3 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill requires that the division of human services reimburse counties and towns for amounts paid out of general assistance funds for the cost of prescription drugs when the recipient is later determined to be eligible for state medical assistance retroactive to the time when the general assistance was rendered. The bill makes an appropriation for such purpose.

The bill was requested by the division of human services, department of health and human services.

Amendment adopted. Ordered to Third Reading.

HB 499, relative to administration of medications to clients receiving services in the state mental health system. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: HB 499 addresses and resolves a problem that has come up in the last several sessions wherein there has been discussion as to whether or not people who are not registered nurses should be allowed to administered medications. This bill was agreed to by everyone involved; the medical society, the hospital association, and the nurses all agree, as does the state, that this is a realistic way with dispensing meds.

Adopted. Ordered to Third Reading.

HB 511, relative to medical records. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 511 makes it possible for medical information contained in medical records to be the property of the patient. The key word is information; the record is not the property of the patient, but the information in the record is and this makes it very clear. The committee moves ought to pass.

Adopted. Ordered to Third Reading.

HB 611-FN, relative to service dogs. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: We have a current statute - hearing ear dogs and seeing eye dogs and what this bill would do is add service dogs to this statute and allow services dogs to go with those people

who are physically impaired as the seeing eye dogs and the hearing ear dogs can do. We were told in our committee that at the present time there is only one dog; the first of many I hope, being trained to help people who are physically impaired who might be in wheelchairs. These incredible dogs are able to push wheelchairs, to pull wheelchairs, to press buttons, they are of great assistance to those who are impaired physically. This is a great precedent in New Hampshire and I would urge your adoption of this bill.

Adopted. Ordered to Third Reading.

RECONSIDERATION

Senator Charbonneau moved reconsideration of HB 98-FN.
Adopted.

HB 98-FN, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs and making an appropriation therefor.

Adopted. Referred to Finance (Rule #24).

COMMITTEE REPORTS

HB 159, repealing certain railroad bridge requirements. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 159 takes off the books an archaic statute that had previously served as a warning for anybody who is riding on the top of a railroad car. That doesn't happen in New Hampshire any more, it certainly happened in the town of Blue Island where I grew up, the Chicago Rock Island and Pacific Railroad, but this is no longer needed in the State of New Hampshire.

SENATOR NELSON: What is under roman numeral two? Relative to failure to maintain bridge guards? You're not only repealing what you said, but you're repealing these also.

SENATOR JOHNSON: Thank you, Senator Nelson, for being alert as you usually are here and let me expand on this report because it really deals with a whole series of archaic and no longer needed pieces of legislation.

Adopted. Ordered to Third Reading.

HB 185, clarifying the department of transportation's authority in maintaining and operating rail operations. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: HB 185 simply moves the responsibility of authorizing the formation of a railroad corporation from the Public Utilities Commission to the Department of Transportation. Under the reorganization in 1985, this was overlooked.

SENATOR DISNARD: Senator Preston, the bill also, in the analysis, indicates that the bill also repeals the authority of the Public Utilities Commission to prevent them to move the railroad tracks. This would be good for them to have this authority. Can you tell me the reason for this to be taken away?

SENATOR PRESTON: This says it was replaced in the reorganization in 1985, that this was just an overlap of the law. That was the explanation given by Walter King of DOT rail safety. The authority is still there under the Department of Transportation not under the PUC.

Adopted. Ordered to Third Reading.

HOUSE MESSAGE

SUSPENSION OF THE RULES HOUSE REQUESTS CONCURRENCE

HB 765-FN, authorizing a Belknap recreational area to borrow in anticipation of revenues.

SUSPENSION OF THE RULES

Senator Currier moved the rules of the Senate be so far suspended to dispense with the reference to committee, the holding of a hearing, the report in the calendar and that the bill be on second reading at the present time.

Adopted. (2/3 votes)

Recess.

Out of Recess.

Senator Dupont in the Chair:

HB 765-FN, authorizing a Belknap recreational area to borrow in anticipation of revenues.

SENATOR CARRIER: This particular measure is allowing the Belknap recreational area which does not receive county tax dollars to sell revenue bonds for the purpose of operating capital. With a year as bad as it has been with regard to the ski industry this year, there's a need on the part of a lot of ski areas for additional cash. This one

being a county one, if this measure is not passed that additional revenue that will be requested will come from the county tax base. I would urge the Senate to go along with this motion to allow the Gunstock Recreational Area to go forward with the sale of these revenue bonds.

SENATOR HEATH: I rise in strong opposition to this legislation, as well as to the process which is to say that there is no process; we've just voted not to go through the process. I have never understood, in all the years that I've been aware of the fact, why this state is involved so heavily in socializing one sport. We don't socialize tennis. We don't socialize a lot of other sports that citizens of this state participate in. We socialize skiing. We do it at the federal level, when we give away portions of the national forest in good deals so that it becomes slopes for our commercial operators. We do it at the state level by running two bankrupt operations for skiing, at Cannon and Sunapee. We do it at the county level where we have the Belknap area. We do it at the city level with the Manchester ski area. What there is so magic about this sport that it needs government participation, I don't know. There are many, many men and women in my district who earn an honest living in privately operated ski areas, so it isn't the chance that skiing doesn't exist in New Hampshire without government intervention.

Two or three years ago, I went, as a person who represents a portion of Belknap County, down to hear a presentation on how they were going to spend ten to twelve million dollars, and they were going to make this ski area one, weather proof, and that when we didn't have a lot of snow they were going to make snow. I heard the same thing about Cannon. We kept giving them more and more capitalization and they've never made a dime. They wasted away a lot of money at all of these ski areas. I frankly think it's time we got out of the ski business. Private sector does very well at it. It isn't in danger of being extinct. It does nothing for the poor. It does nothing for recreation for the people who do not have the assets to go skiing can go to, because it doesn't do anything for giving them boots and uniforms and all the other glamorous materials it takes to get on the ski slopes and not look entirely silly or endanger your limbs. I think this is where we should draw the line. I think we should also get rid of Cannon and Sunapee, by the way. Let's stop socializing this single sport.

SENATOR JOHNSON: Senator Currier, what evidence can you offer at this time that the property taxpayers and voters of Belknap County support the notion that you're putting forward here?

SENATOR CURRIER: At this particular junction, I don't have any other than the representatives who sponsored the measure in the House. I do know that there will be a request of the county delegation, on behalf of the Gunstock Recreational Area, for this money to allow them to get these revenue bonds. They are going to need operating capital to stay afloat.

SENATOR JOHNSON: Isn't that same notion about the need for operating capital true with all the municipalities of the government across the state?

SENATOR CURRIER: Yes, that is true and the statutes provide that the cities and towns may, in fact, acquire municipal tax anticipation notes, and bond anticipation notes. Basically what this is does is provide a section in the statutes to allow Gunstock to get revenue anticipation notes.

SENATOR JOHNSON: Your testimony seems to be that the property taxpayers of the Belknap County really haven't spoken in favor of this issue and isn't that true?

SENATOR CURRIER: Have they had a public hearing on the matter? No, they have not.

SENATOR DISNARD: Senator Heath, would you believe that I'm very pleased to hear you say something that I tried to reiterate and you didn't agree with me earlier and I'm glad that you changed your mind, about private business.

SENATOR HEATH: Senator, if that's in the form of a question, I'd like to respond. I would believe that you have mistaken two entities. One is a monopoly that has no competition and is guaranteed a monopoly by the state, which is quite a different thing from free enterprise and free enterprise does exist in the skiing area. It does not exist in the power company area. They are quite different entities.

SENATOR FREESE: I, too, represent part of Belknap County; specifically Laconia and Gilford. Gilford is where Gunstock Skiing and Camping Area is located. That's the county area that we're talking about here today. This matter before us has nothing to do as to whether the state or the county should be in the ski business. They've had a bad season and it's unfortunate that just last year and the year before they did spend ten to twelve million dollars investing in expanding that ski area. I think, according to the seasons they've had in the past with the income they've been able to generate from snow falls, they've done very well in making ends meet and having

some left over to run the ski area through the summer. They are apparently having problems with that this time and I would hope that you would support the bill that's before you.

SENATOR MCLANE: Senator Freese, the day that you and I skied at Gunstock, wasn't that about the best skiing that you've had this year?

SENATOR FREESE: Yes, they do a wonderful job there with the extra equipment that they've bought and invested in the snow making equipment. They run it night and day and they really had the best skiing of any year that I've skied there. The problem is if there isn't any snow around the area, Boston area and up around this area, people don't have skiing on their minds and don't go and the areas suffer because of the lack of snow.

SENATOR MCLANE: That was the point that I hoped to bring out; about the fact that if there isn't snow in Boston, these areas don't prosper. But isn't it true that the problem with Gunstock this year has been true of every ski area in this state?

SENATOR FREESE: I'm told that, yes.

SENATOR ST. JEAN: Senator Heath, you were mentioning earlier how you want us to get out of the ski area business, and I along with you voted earlier that we get into the utility business. How is this somehow different? We want to be out of the ski area business, yet we've gone into the power utility?

SENATOR JOHNSON: Senator Heath, would you believe that last Sunday morning, when I was having a delightful breakfast in the town of Bow, one of my constituents came up to me and spoke, and he is an avid skier; and urged me to assist in getting the state out of the ski business and stop competing with private enterprises in the ski business?

SENATOR HEATH: I'm pleased to hear that because that means I won't lose all of my ski votes in my district and there's a lot of them.

SENATOR HEATH: Senator Freese, you agreed with Senator McLane that all of the ski areas in the state have suffered from this year's perception of lack of snow on the slopes. Would you, then, also agree that all of the private ski areas should have the full faith and credit of state bonding behind loans that they might need to get through this?

SENATOR FREESE: Senator Heath, the private sector is structured a little differently than the public sector. I don't disagree with

you nor do I agree with you that the ski areas should all be private sector money or public sector money. That's not the issue today. I'd be glad to debate that with you some other day, but the issue today is that I don't think this is the time or the place to try to destroy the investments that have been made in Gunstock, Belknap County, and just let them go out of business by default.

SENATOR HEATH: I guess the root of my question is, if there is no difference; if we're not debating socialized skiing as opposed to private sector skiing today, then why don't we amend this bill to let all ski areas, and the ancillary businesses that have lost money because of the lack of ski traffic this year have the same privilege, and treat them alike - if we're not debating who owns them?

SENATOR FREESE: I repeat; I don't think that's the question today. The question is whether or not we're going to support the request that is before us to give Belknap County ski area the authority to bond in order to get cash to carry their operation through the summer.

SENATOR HEATH: I have a hard time understanding what we have purchased for Cannon Mountain and for Sunapee and where Belknap County has purchased snow making equipment for their slopes. What good has it done if it's only the perception that there isn't snow, that leaves people staying home and not going skiing. Has that been a waste of time? Because in years that there is snow all over, everybody knows there's snow and they go and now they're saying even though we can make snow, nobody believes it.

SENATOR FREESE: I think you have snow in most winters, you have plenty of it. This has been the worst winter on record for snow in this area. Snow making equipment is absolutely necessary for even a private sector area to be successful. That's pretty much a foregone conclusion. This was a different year; you have snow storms and then it melts, then you have snow storms. If you can put on a base of man-made snow, you have a lot better chance of more consistency in the hot and cold weathers. I just don't think that has anything to do with the issue before us today.

SENATOR CURRIER: I apologize for the Senate not having copies of the bill before us. However, this measure basically is enabling legislation. The Gunstock Recreational Area unit is a governmental entity and does require statutory authority to be able to do this. You will probably find it hard to believe this, Senator Heath, but I agree that the state should not be in the ski business. I have it from a lot of

opinions and experience in the business. But now is not the time to argue that case. Right now we have a measure before us that's dealing specifically with the Gunstock Recreational Area, which is, in fact, an area that is run by a county government and through a commission and they are in need. If other areas were in the same boat, we would probably be dealing with, because of the nature of this past winter, we would probably be dealing with each and every individual ski area as they came along. These areas now have the opportunity in the private sector to go ahead and borrow money in anticipation of revenue. The thing is I would not want to run down that county ski area at this point to a nature where some day we couldn't sell it back to the private sector and let them run it more efficiently than the county is currently doing that. I urge the full Senate to support this measure.

SENATOR KING: Senator Currier, could you explain why you feel we need to act on this today as opposed to having the time to have the bill printed and looking at it?

SENATOR CURRIER: Not specifically I can not. The House passed the measure in its urgency and has asked the Senate to do likewise. My understanding of the measure is that it is a bill sponsored by Representative Hawkins and the full council has reviewed it in terms of the aspect of the measure that it's in. I would think that our next session day is a week hence and I don't know if the urgency is such that they want it passed today, but that is the indication that I received. I don't know if there'd be any problem if it didn't come until next Thursday or not, but they've asked us to do it now.

SENATOR BARTLETT: I realize too that you haven't had a chance to look at this piece of legislation. The House came to me and asked me today if we would suspend rules because there was a dire need of Gunstock, which is a county owned facility, so that they could solve some of their financial problems. I was surprised that it got here so quick, so apparently they are in dire need.

The change in the law on 39915, it says it gives them the authority to borrow money in anticipation of revenue for a term of years determined and authorized by the county convention. The terms of the notes shall be determined by the county convention delegates and the second thing is that all the notes must be approved subject to the authority of the county convention to the term of years and votes the bond. That's the change in the statute. What it does is it allows the county to borrow money to keep Gunstock on a financial basis. That's the request. This body can do what it wishes. That's just what the

request is, that we suspend the rules and allow the county to borrow money to meet some of the expenses that they couldn't meet at Gunstock during this past season because of the snow conditions. I apologize for getting Senator Currier into this trouble, but Senator Currier is my resident ski expert and that's why I went to him.

Senator Heath moved the previous question.

Division Vote: 11 Yeas 8 Nays
Adopted.

Question: Ordered to Third Reading.

Roll Call requested by Senator Heath.
Seconded by Senator Johnson

The following Senators voted yes: Bond, King, Freese, Hough, Dupont, Currier, Disnard, Roberge, Blaisdell, Charbonneau, McLane, Podles, Bartlett, St. Jean, Torr, Delahunty, Preston and Krasker.

The following voted no: Heath, Bass, Magee, Nelson, Johnson and Stephen.

18 Yeas 6 Nays

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

TAKEN FROM THE TABLE

Senator Currier moved to take HB 259-FN off the table.
Adopted.

HB 259-FN, permitting selectmen to set fees. Inexpedient to Legislate. Senator St. Jean for the Committee.

Senator Currier moved to substitute ought to pass for the committee report.

SENATOR CURRIER: This was the bill that we had a little trouble with in terms of determining whether there was a public hearing held and so forth. Basically, what the bill does, as amended by the House, is it provides a structure for the selectmen in the cities and towns for the town meeting to give them authority to set fees and licensing fees in a diplomatic and democratic way after a public hear-

ing. Currently, they adopt these fees and licensing rules under their general selectmen powers. Over the years it's been very unclear as to how this procedure works. Basically this bill allows the town meeting to authorize the selectmen to do this after a public hearing.

There was some confusion at the last session with regards to whether this took away power to the town meeting when, in fact, this actually gives power to the town through the town meeting. I urge the full Senate to adopt this measure.

Adopted. Ordered to Third Reading.

ENROLLED BILLS REPORT

HB 17, changing the language of the oath administered to petit jurors in criminal cases.

HB 43, transferring the authority to regulate professional bondsmen from the insurance commissioner to the director of the office of securities regulation.

HB 52, relative to rail accident reporting requirements.

HB 62, adding administrative fines to the laws relative to auctioning and shipping livestock.

HB 63, relative to equine infectious anemia.

HB 65, adding administrative fines to certain provisions of the agriculture laws.

HB 74, extending the time for the filing of a report by the municipal charter study committee.

HB 122, relative to concession contracts at certain state facilities.

HB 125, relative to securities registration statements and rulemaking by the director of the office of securities regulation.

HB 160, to repeal the state recreational fund.

HB 161, extending the illiteracy and dropout prevention legislative study committee.

HB 205, relative to continuing care communities.

HB 316, relative to notice to abutters.

HB 20, authorizing investigators to photograph hazardous waste sites.

HB 60, relative to pronouncement of death by nurses.

HB 89, giving the division of water resources the authority to levy administrative fines for certain violations relating to dams.

HB 124, relative to the annual fee for issuers of open-end mutual funds and relative to fees charged for licenses of broker-dealers, investment advisors, and issuer-dealers.

HB 128, authorizing the department of environmental services to impose administrative fines for hazardous waste management violations.

HB 186, allowing free hunting and fishing licenses for residents suffering from certain handicaps.

HB 246, relative to allowing UMTA federal funds to be carried over from one state fiscal year to the next.

HB 31, recodifying the laws pertaining to the elderly.

HB 97, relative to eligibility for public assistance.

HB 107, relative to food service licensure.

HB 110, relative to low and moderate income housing.

HB 336, relative to senior citizen bingo games.

HB 359, relative to statements of minors in civil cases.

Adopted.

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage and all titles be the same as adopted and that they be passed at the present time.

Adopted.

Third Reading and Final Passage

HB 247-FN, relative to the transfer of funds for turnpikes from the general reserve account.

HB 27, prohibiting hunting in a specified portion of the town of Bow with any firearm other than a shotgun, muzzle loading rifle, or bow and arrow.

HB 37, relative to taking of raccoons.

HB 99-FN, relative to establishing a uniform fine schedule for fish and game law violations.

HB 212, relative to the board of chiropractors.

SB 205, relative to establishing the New Hampshire energy authority and making an appropriation therefor.

HB 142-FN, relative to liability of expenses for the support and necessities of minors.

HB 10, relative to supervisors of the checklist for the Conway annual town meeting.

HB 369, relative to assumption of a town office after a recount.

HB 53, relative to syringes for diabetics.

HB 499, relative to administration of medications to clients receiving services in the state mental health system.

HB 511, relative to medical records.

HB 611-FN, relative to service dogs.

HB 159, repealing certain railroad bridge requirements.

HB 185, clarifying the department of transportation's authority in maintaining and operating rail operations.

HB 765-FN, authorizing a Belknap recreational area to borrow in anticipation of revenues.

HB 259-FN, permitting selectmen to set fees.

Senator Dupont moved that the Senate be in recess until Thursday, March 30, 1989 at 1:00 p.m. for the sole purpose of introducing legislation, referring bills to committee, and scheduling hearings.

Adopted.

Recess

Friday, March 24, 1989

Out of Recess.

HOUSE MESSAGE

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 54 through 763 shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 54, adding a member to water well board. (Executive Departments)

HB 93-FN, relative to the board of nursing. (Executive Departments)

HB 147-FN, relative to commercial driver licensing. (Transportation)

HB 154, limiting the horsepower of motors on Upper Kimball Pond in the town of Chatham. (Development, Recreation and Environment)

HB 207, prohibiting the use and operation of petroleum-powered boats on Waukeena Lake in the town of Danbury. (Development, Recreation and Environment)

HB 262-FN, extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a joint oversight committee and related committees to study issues regarding children. (Judiciary)

HB 264-FN, prohibiting the distribution, sale, possession or use of anabolic steroids except for purposes of medical treatment. (Judiciary)

HB 277-FN, to prohibit after market tinting on windshields and on certain windows of motor vehicles. (Transportation)

HB 289, relative to stumps, leaves, and yard waste. (Development, Recreation and Environment)

HB 323, relative to payment of costs of bank examinations. (Banks)

HB 324, relative to posted school zones. (Transportation)

HB 330-FN-A, relative to exemption from the gasoline tax and state license plates. (Ways and Means)

HB 365, relative to automobile transporters. (Transportation)

HB 370-FN, relative to collision coverage deductibles. (Insurance)

HB 401-FN, imposing a filing fee for registration of securities by coordination. (Banks)

HB 428, regarding the licensing of funeral directors. (Executive Departments)

HB 449-FN, relative to civil suits against municipal officials. (Judiciary)

HB 463, excluding credit life and health companies from the 30-day premium return requirement. (Insurance)

HB 464, relative to sons and daughters of members of charitable organizations assisting with bingo games. (Ways and Means)

HB 465, changing the name of the solid waste management council. (Development, Recreation and Environment)

HB 486-FN, relative to clearing land and cutting timber. (Development, Recreation and Environment)

HB 487, relative to grandparents' rights. (Judiciary)

HB 489, relative to utility easements. (Public Affairs)

HB 493, relative to insurance premium refunds. (Insurance)

HB 505, relative to speed limits on state roads in towns. (Transportation)

HB 516-FN, relative to illegal dumping of garbage. (Development, Recreation and Environment)

HB 528, relative to learners' permits. (Transportation)

HB 534-FN, relative to bottled water. (Public Affairs)

HB 536-FN, relative to technical changes in the unemployment compensation law and to changes in the maximum weekly benefit amount. (Insurance)

HB 561, relative to the protection of public funds. (Banks)

HB 562-FN, making technical changes in the election laws. (Public Affairs)

HB 565, relative to the state board of education. (Education)

HB 587-FN, relative to license plates and decals for relatives of handicapped persons. (Transportation)

HB 605, relative to a recycling logo. (Development, Recreation and Environment)

HB 606-FN, relative to approvable plans for solid waste management districts. (Development, Recreation and Environment)

HB 609-FN, relative to jury selection procedures. (Judiciary)

HB 615-FN, establishing a pilot program relative to medical, hospital and remedial care in workers' compensation. (Insurance)

HB 616-FN, relative to the public utilities commission. (Executive Departments)

HB 635-FN, relative to protecting federally subsidized housing. (Internal Affairs)

HB 637, relative to the conduct of tax sales for failure to pay real estate taxes. (Judiciary)

HB 640-FN, to permit the Wakefield school district to withdraw from the Rochester authorized regional enrollment plan. (Education)

HB 643-FN, relative to retention and destruction of district court records, responsibility for payment of costs of court-ordered services, and taxable court costs. (Judiciary)

HB 644-FN, enabling cities and towns to adopt an optional veterans exemption. (Public Affairs)

HB 650-FN, relative to removing tax collectors. (Public Affairs)

HB 652-FN, relative to discounts and credit terms for the sale of wine. (Ways and Means)

HB 657-FN, excepting certain landfills and other waste facilities from local junk yard regulation. (Public Affairs)

HB 658-FN, establishing a committee to study the laws relative to depositions. (Judiciary)

HB 677, relative to modification of child support guidelines. (Judiciary)

HB 680-FN, relative to review of studies on recycling uses for bottom ash. (Development, Recreation and Environment)

HB 691-FN, relative to recording of ancient plats. (Public Affairs)

HB 693-FN, relative to the leasing of submerged tidal lands. (Interstate Cooperation)

HB 699-FN, prohibiting the possession of firearms by career criminals and imposing a minimum mandatory sentence. (Judiciary)

HB 709, relative to use of recording devices by plaintiffs and defendants. (Judiciary)

HB 710, regulating the use of social security numbers by the department of safety. (Transportation)

HB 722-FN, regarding solid waste management districts. (Development, Recreation and Environment)

HB 726, relative to bylaws which regulate electioneering. (Public Affairs)

HB 737-FN, amendment the joint state-capitol city planning commission. (Internal Affairs)

HB 738-FN, relative to bail. (Judiciary)

HB 752-FN, relative to domestic violence. (Judiciary)

HB 758-FN, relative to impact fees. (Internal Affairs)

HB 763, authorizing the Salem and Derry school districts to establish a debt retirement fund. (Finance)

Recess

Wednesday, March 29, 1989

Out of Recess

ENROLLED BILLS REPORT

HB 765, authorizing the Belknap recreational area to borrow in anticipation of revenues.

Adopted.

Recess

Thursday, March 30, 1989

Out of Recess.

Senator Charbonneau in the Chair.

Senator Torr moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, March 30, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Senator Torr moved to adjourn.

Adopted.

Adjournment

Thursday, March 30, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Charbonneau in the Chair.

Senators Disnard, Nelson, and Johnson had been excused for the day.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, help us to understand people as we face the very controversial legislation which faces us now! Through the power of your gift, renewal of life, may we do what is right! Remember someday we shall be judged by a higher power. Help us Lord!

Amen

Senator Delahunty led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

HOUSE REFUSES TO CONCUR

SB 136-FN, prohibiting abortions performed on certain minors without parental consent.

VACATE

Senator Podles moved to vacate HB 467 relative to discharges of mortgages from Judiciary to Banks.

Adopted.

COMMITTEE REPORTS

HB 15, repealing certain laws relative to measuring wood. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: HB 15 was introduced at the request of the department of agriculture. It simplifies statutory reference to a cord of wood and simply defines it by cubic measure of 128 cubic feet and does away with any other terms of measurement. The committee urges your support.

Adopted. Ordered to Third Reading.

HB 201, relative to protective custody of abused or neglected animals. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill, which was entered at the request of the state veterinarian, makes it legal to do what, in fact, the humane animal control officers do now and that is to provide custody and care of animals that have been abused or neglected by their owners. It does not remove anybody's right to their property and the committee urges your support.

Adopted. Ordered to Third Reading.

HB 345-FN, relative to interference with hunters, trappers, and fishermen. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill prohibits the purposeful obstruction or impediment of participation of any individual in the lawful activity of hunting, fishing or trapping. The committee recommends ought to pass. I will then make a motion that it be placed upon the table and at a later time make a motion that it be referred to the Supreme Court to see whether or not it in any way infringes on the first amendment rights of anyone. That is a concern of some members of the committee.

Senator Bond moved to lay HB 345 on the table.

Adopted.

HB 163, concerning certain labor laws. Ought to Pass. Senator Magee for the Committee.

SENATOR MAGEE: HB 163 takes out some discriminatory language referring to females, and leaves in the law, the laws regarding minors and their employment. The committee recommends that the bill ought to pass.

Adopted. Ordered to Third Reading.

HB 68, relative to the director of water supply and pollution control. Inexpedient to Legislate. Senator Podles for the Committee.

SENATOR PODLES: HB 68 radically changes the qualification requirement for the position of director of water supply and pollution control from a licensed professional engineer to a graduate civil or sanitary engineer qualified by reason of education and experience. This legislation would allow the top person to be less qualified than those he is supervising. The committee recommends inexpedient to legislate.

Adopted.

HB 18, decriminalizing adultery. Inexpedient to Legislate. Senator Preston for the Committee.

SENATOR PRESTON: HB 18 would remove the word adultery from the statutes of the State of New Hampshire. We heard some interesting testimony on this bill and different than what we heard

before. The American Civil Liberties Union representative in a quote said, 'some bills like this make New Hampshire the laughing stock and it's embarrassing in the national media'. Quite frankly, I don't care if it is embarrassing to try to kill this bill today and to keep adultery on the books. Some of our opposition said it's a trendy bill, today anything goes and consenting adults can do what they like. Someone else testified and said this law has been on the books for a hundred something years and no one has used or abused this law, enforcement-wise, to peek into any of the bedrooms. A young lady got up and testified that she wanted us to kill HB 18 because she was a victim in her marriage of an adulterous relationship and those were the grounds used for her to obtain a divorce. A gentleman, who is since divorced and has the custody of his child, indicated the same thing, that grounds to his divorce were adultery on the part of his wife with some other individual. He thought that it should be left on the books.

Another person indicated that it is really a matter of principle. New Hampshire has never been trying to peek into the bedrooms, but they strongly believe in the marital contract and a union and the family structure and strengths and neighborhoods and we should leave it on the books. It's not hurting anyone. Frankly, and I share the concern that a lot of times we're looked at in New Hampshire, by Barnicle and others in Massachusetts, as guys and gals who wear orange glow hats. Well, so be it. They think we're sending them a message now that's headlines - Adultery's Okay in New Hampshire, if we pass this bill. Well, I know that wouldn't be so, but I see it just as a further message for disruption of the social values that we do cherish, some traditional values up here, and we're not trying to interfere with consenting adults doing certain things, but let the people laugh at us. But, let's keep this bill on the books today and send out a very strong message that it may be trendy in a lot of areas of the country to do different things, but we're not ashamed to keep this on the books and strengthen the family and marriage.

SENATOR PODLES: Senator Preston, both you and I sat in on this hearing and we heard all the testimony. Would you agree with me that this time around it was the young people that came before us and said keep this on the books?

SENATOR PRESTON: That was the most impressive part of the hearing; as I saw that young couple sitting there and testifying. I was kind of surprised. I thought they would be speaking on the other side of the bill.

SENATOR DUPONT: I rise in support of Senator Preston and the committee report of inexpedient to legislate. I'm going to be very, very brief and I think what we are doing today is certainly not an attempt to cause the enforcement of this particular statute on our books. It's a reaffirmation of our traditional New Hampshire values. I read with interest Colonial Benton's remarks in the House where if you want to remove this from New Hampshire's laws, you ought to also amend the Ten Commandments because there is a commandment that specifically deals with committing adultery. You laugh a little bit when you hear a statement like that, but I think this state prides itself on what we consider our strong family values and this law, while not enforced, I think just reaffirms that value. So I would urge my colleagues to support the committee report.

SENATOR STEPHEN: We are being asked today to repeal a law that has been in effect since the earliest of time. The reason for such repeal, primarily, is that the state has no business placing its values on the consensual decision of a man and woman to engage in sexual intercourse. Further, that such intrusion by the state constitutes an invasion of a fundamental interest protected by the United States Constitution; that interest being the right of privacy. I suggest, however, that not only are the proponent's assertions without merit, but would result in one more strand of moral fiber being plucked from the backs of the people. Enough is enough. Society's idea of morality has had much to do with shaping the substantive criminal law of the legislature. I remind you all, it speaks for the people. Unequivocally, the great majority of the public finds adultery abhorrent.

When a married individual engages in sex with another not their spouse, or an unmarried individual engages in sex with one known to him to be married, I suggest that this is not an act of privacy, but an abhorrent violation of the sacred marriage vow. The state has a legitimate interest in preserving that vow, most importantly, the moral fiber of this country.

The fact of the matter is, adultery is either a statutory or common law crime in a majority of jurisdictions. Its constitutionality has been consistently upheld by a number of courts. The invasion of privacy doctrine enunciated in the landmark case of *Griswold vs Connecticut* has not worked to decriminalize such behavior. To decriminalize this behavior and not condemn the same is to lend it approval. When the legislature decriminalizes certain conduct, although it may regard such conduct as constituting a civil wrong, it has undoubtedly lessened the degree of aggravation attributed to such conduct. I am not about to vote to lessen the degree of aggravation attributed to the crime of adultery.

In concluding, the case of State vs Bar sums up my feelings on this issue. There, the court refused to find a criminal statute making adultery a crime unconstitutional. In so doing, the court stated: "it is for the legislature to change the law, if it chooses to subscribe to a more liberal pattern of sexual behavior". If we vote to repeal this law here today, unequivocally, we are in effect liberalizing the pattern of sexual behavior in this state.

Adopted.

HB 140-FN, relative to delinquent children and children in need of service. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: HB 140 makes changes to the statutes on delinquents and children in need of services. The bill requires all available community resources to be used prior to initiating court involvement. It makes court intervention in family problems the last step instead of the first step. It establishes the concept of home detention for both delinquents and CHINS, and it's subject to written consent of the parents to the terms and conditions established by the court. This permits the court to avoid having to place CHINS or delinquents when they can remain safely in their home. It gives the judge more leverage and keeps the CHINS out of YDC. The bill has no fiscal note. In fact, it will save money and the committee recommends ought to pass with amendment.

AMENDMENT TO HB 140-FN

Amend RSA 169-B:19, I(e) as inserted by section 4 of the bill by replacing it with the following:

(e) Release the minor in the care and supervision of a relative or friend; **or to home detention for a period not to exceed 6 months. Such home detention shall be subject to the written consent of the parents to the terms and conditions established by the court. The court shall include in its order for home detention any restrictions on the hours of detention;**

Amend RSA 169-D:17, V(c) as inserted by section 9 of the bill by replacing it with the following:

(c) A child found guilty of contempt may be **immediately detained in home detention or a shelter care facility certified for detention, or** remanded to the youth development center provided that: (1) **any order for home detention shall be subject to the**

written consent of the parents to the terms and conditions established by the court; (2) such child shall be placed in a facility certified by the administrator of the bureau of secure care, division for children and youth services, as one in which the child shall not come in contact with minors charged or adjudicated as delinquent; [(2)] (3) such child shall be afforded the services made available to delinquents; and [(3) that] (4) the facility not be one used for solitary confinement.

Amendment adopted. Ordered to Third Reading.

HB 298-FN, relative to the statute of limitations for actions against governmental units. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: HB 298 reduces the number of years that a claim may be brought against a municipality. The three years would be the same as the statute of limitations for other civil actions established by the legislature in 1986. HB 298 creates a more reasonable window of time that would benefit governmental units in New Hampshire.

The amendment changes the effective date to upon passage. The committee recommends ought to pass with amendment.

AMENDMENT TO HB 298-FN

Amend the bill by replacing all after section 1 with the following:

2 Applicability. This act shall apply only to causes of action arising on or after the effective date of this act.

3 Effective Date. This act shall take effect upon its passage.

Amendment adopted. Ordered to Third Reading.

Recess

Out of Recess

Senator Heath in the Chair.

HB 14, relative to legalizing town meetings. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: All this bill covers is the legalization of town meetings in Epping and in Northwood, wherein they voted on a tax lien issue by voice vote which apparently they're not supposed to do. In both instances there was no dissent and in order to legalize those votes the legislature has to take action on it. I urge the Senate to support the committee's report.

AMENDMENT TO HB 14

Amend the bill by replacing all after the enacting clause with the following:

1 Epping Town Meeting. All actions, votes, and proceedings concerning the real estate tax lien question of the Epping town meeting of April 5, 1988, are hereby legalized, ratified, and confirmed.

2 Northwood Town Meeting. All actions, votes, and proceedings concerning the real estate tax lien question of the Northwood town meeting of March 12, 1988, are hereby legalized, ratified, and confirmed.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill legalizes the Northwood town meeting held on March 12, 1988, and the Epping town meeting held on April 5, 1988. Amendment adopted. Ordered to Third Reading.

HB 167-FN, relative to taking or acquisition of condominium common areas by eminent domain. Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: HB 167-FN merely allows the Department of Transportation when taking by eminent domain an area of common land, that has nothing to do with the buildings and condominiums, to deal strictly with the association of the condominium rather than actually contacting each individual owner in the condominium complex. This will save the department and the State of New Hampshire a great deal of money, but still provide for due process in terms of taking of common area land by eminent domain. The committee urges the Senate to support the committee report.

AMENDMENT TO HB 167-FN

Amend the bill by replacing section 1 with the following:

1 Common Areas. Amend RSA 356-B:6, I to read as follows:

I. If any portion of the common area is taken by eminent domain, the award therefor shall be allocated to the unit owners in proportion to their respective undivided interests in the common area; provided, however, that the portion of the award attributable to the taking of any permanently assigned limited common area shall be allocated by the decree to the unit owner of the unit to which that limited common area was so assigned at the time of the taking. If

that limited common area was permanently assigned to more than one unit at the time of the taking, then the portion of the award attributable to the taking thereof shall be allocated in equal shares to the unit owners of the units to which it was so assigned or in such other shares as the condominium instruments may specify for this express purpose. A permanently assigned limited common area is a limited common area which cannot be reassigned or which can be reassigned only with the consent of the unit owner or owners of the unit or units to which it is assigned. **In the event of a taking or acquisition of a part or all of the common areas by a condemning authority, the statutory notices of hearing shall be served on the unit owners' association acting on behalf of all of the unit owners at least 30 days prior to such hearing, and the award or proceeds of settlement shall be payable to the unit owners' association for the use and benefit of the unit owners and their mortgagees as their interest may appear in accordance with this section. The unit owners' association shall represent the unit owners in any condemnation proceedings or in negotiations, settlements and agreements with the condemning authorities for acquisition of the common areas or any part thereof and the unit owners' association shall act as attorney-in-fact for each unit owner for the purposes of this section.**

Amendment adopted. Ordered to Third Reading.

HB 285-FN, relative to liens on real property for hazardous waste cleanup costs. Ought to Pass. Senator King for the Committee.

SENATOR KING: HB 285-FN essentially says that the state will take a position with a lien on hazardous waste, on residential property, in the position at which time it filed that lien. That lien would not take precedence over liens that had been previously filed. The reason for this is essentially that it would have a serious impact on the mortgage market in the State of New Hampshire and the committee felt that it was a reasonable thing to do. The State's lien would be subsequent to any liens that were already in place. We urge your support.

Adopted. Ordered to Third Reading.

HB 45, to increase the age limit relative to the motor vehicle child restraint requirement. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: This House bill, with the Senate amendment on it, makes it now similar to a bill that was passed in the Senate previously and is now in the House. The bill, without amend-

ment, would have had fines that proportionally increase for each time a person was found guilty of not having a seat belt on a youngster up to twelve years old. They go from \$30, \$60 and \$90. Frankly, if we vote for this in the same form with the amendment that the Senate bill was in, it is my intention to just place the bill on the table. I respectfully request that you support the committee report of ought to pass with amendment and we'll be consistent with what the Senate did previously.

AMENDMENT TO HB 45

Amend RSA 265:107-a, III as inserted by section 1 of the bill by replacing it with the following:

III. Any driver who violates the provisions of this section shall be [subject to a fine of not more than \$30. Such fine may be waived, however; if the court is satisfied that the driver has purchased a child passenger restraint approved as provided in paragraph I, and that the driver will use it in the future] **guilty of a violation.**

AMENDED ANALYSIS

This bill raises the age limit under the motor vehicle child passenger restraint requirement from less than 5 years to less than 12 years of age, and changes the penalty for violation of the requirement from a conditional fine to a violation.

Amendment adopted.

Senators Freese and Roberge wished to be recorded as opposed to amendment.

Senator Preston moved to lay HB 45 on the table.
Adopted.

HB 51, relative to a vehicle width on certain highways. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: The law now says that the width of the vehicle should be 96 inches, but in practicality all the new buses that have been manufactured in the last eight to ten years are 104 inches wide. I think most of all the other states are 104 inches on width for such trucks and buses. So, this would just bring us into compliance. The old 96 inch law was not being enforced and this just accommodates the new trucks that have no additional weights or anything; we'll just be in compliance with other states in what's happening now.

Adopted. Ordered to Third Reading.

HB 176-FN, requiring certificates of title for vehicles owned by the state and political subdivisions. Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This bill requires that State Senators pay \$1,000 for certificates of title! I was just making sure that you were attentive!

Actually, this is a consumer bill. It basically expedites the sale of surplus property at the state sales, which are twice annually. There is no fee to the municipality or to the state. It exempts federal vehicles, National Guard vehicles and any federal vehicles that are in the state. Motor vehicles did indicate that the bill would not cost any additional burden on the department in terms of processing these titles. Many of the cities and towns are now doing that to expedite the sale of their surplus equipment. Because right now of the state's surplus property sale, the only thing that they actually do is give them a certificate of origin, if in fact they can find it. This will expedite the sale of those vehicles to the consumer. I urge you support the committee report.

Adopted. Ordered to Third Reading.

HB 197-FN, to reclassify portions of certain highways in the town of Seabrook. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: This bill pertains specifically to roads in the town of Seabrook that are gradually upgraded over the years. The town is proposing to install sewage pipe in the upcoming years. This would grant them permission to install the sewers in the center of those roads. The state would hot top over them and turn them back over to the town as classified roads.

The amendment adds two additional roads that had been left off the original bill.

AMENDMENT TO HB 197-FN

Amend paragraph V as inserted by section 1 by replacing it with the following:

V. New Zealand Road extension (Crovetti Road) beginning at the intersection with New Hampshire Route 107 westerly 0.36 mile to the intersection with True Road.

VI. Ocean Road Spur being at the intersection with Route 1-A (Ocean Road) northwesterly 0.08 mile to the intersection of River Street.

Amendment adopted. Ordered to Third Reading.

HB 408-FN-A, relative to a study of the highways in Sullivan and Cheshire counties. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: This bill originated as the result of the county delegation looking at what they should do to study the highway systems within the Sullivan and Cheshire counties. They had a previous bill, in another session, that came in with some \$250,000. This bill does not contain any money. The state's Department of Planning and the Department of Transportation will assist with some technical information, if necessary. But, it will allow the towns and cities in their district to participate in looking at their highway needs.

Adopted. Ordered to Third Reading.

HB 729-FN, requiring labeling of solid and hazardous waste collection containers. Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: HB 729 says that all commercial haulers of hazardous waste and solid waste will have their containers labeled with the logo identifying what type of waste it is and also identifying the company itself. It's basically being done by everybody already, but there are a few people who are not abiding by agreements within the industry. This would be subject to a \$50 fine.

AMENDMENT TO HB 729-FN

Amend RSA 147-A:2-a, I as inserted by section 3 of the bill by replacing it with the following:

I. All commercial hazardous waste transporters and municipalities holding a permit under RSA 147-A shall cause trash collection containers within their possession to be prominently marked with an identification name or logo.

Amendment adopted. Ordered to Third Reading.

HB 38, increasing the legal length of lobster; establishing a lobster management program and creating an advisory committee. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 38 is an act which will increase the legal length of lobster, establish a lobster management program and create an advisory committee. It's basically a bill to conserve one of our valuable resources in New Hampshire, our fishing industry particularly, the lobster. The bill increases the legal length of the lobster to be taken to 3-7/32 inches on the effective date of this act, and then will increase to 3-1/4 inches one year later. The bill, as amended, has been agreed on by the fishing community. This 3-1/4 inches will standardize the length of lobster that is allowable in New Hampshire with Maine, Massachusetts and Rhode Island. They'll all be at the same level. It's hoped that the State of Maine will take note of our spirit of cooperation in this area because, the size of the lobster has been one continual bone of contention with the State of Maine for a long time. I just want to say, as a Senator from one of the border districts, that with the spousal tax, the State of Maine certainly has their claws into us and I would urge the State of Maine to show the same spirit of cooperation that we've indicated and change their spousal tax law.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: I rise today to fire the first salvo in the lobster fight for New Hampshire rights. That's what we're going to call it. You have before you a floor amendment which is a cooperative effort amongst Senator Krasker, Senator Torr, Senator Freese, Senator Heath, Senator Bond and myself. We are the Senators that represent communities that border the State of Maine. As you all know, I've stood before this body in previous sessions talking about the unfairness of the State of Maine as it applies to its taxation of New Hampshire residents. Having watched the process over this agreement take place and, the State of New Hampshire cooperate with the State of Maine in the best interests of our citizens in the protection of our fisheries, particularly our lobster industry, I felt it appropriate that while we say to the State of Maine that while we agree with you today, their inability to act responsibly on the spousal tax issue is going to further cloud our ability to reach further agreement with them over the protection of our lobster industry.

So, with that I will end my short speech about this amendment and urge the Senate to support those Senators who have constituents that have been unfairly treated by the State of Maine. If I could add just one last thing; when the spousal tax came up in the Maine legislature this session, Senator Krasker went up and it was an unpleasant time, to say the least, for Senator Krasker. I think our colleagues in the State of Maine harbor some ill feelings towards us and I would

hope that they would recognize that we sent our best up there to represent the State of New Hampshire on this issue and that we are also unhappy with the less than cordial treatment that she received.

Floor Amendment to HB 38

Amend the bill by replacing all after section 3 with the following:

4 Future Agreements With the State of Maine. The New Hampshire legislature hereby declares that no future agreements with the state of Maine, concerning the legal length of lobster, shall be made, unless the Maine legislature repeals the provisions of the Maine personal income tax statutes as amended by public law 1986, chapter 783 or any subsequent amendment which impose, assess, or collect from residents of this state unjust taxes, the so-called "spousal tax".

5 Effective Date. This act shall take effect 30 days after its passage.

AMENDED ANALYSIS

This bill increases the legal length of lobster to be taken to 3-7/32 inches on the effective date of this act, and to 3-1/4 inches one year later.

The bill requires the executive director of the fish and game department to adopt rules under RSA 541-A to establish a lobster management program.

The bill creates a 6 member advisory committee to work with the executive director in adopting the rules for the lobster management program and if legislation is required, the advisory committee is to make its findings and recommendations by September 1, 1990, for the next session of the general court.

The bill also declares that no future agreements concerning lobster length will be made with Maine, unless Maine repeals the spousal tax imposed on New Hampshire residents.
Amendment adopted. Ordered to Third Reading.

ENROLLED BILLS REPORT

HB 16, relative to advertising potatoes.

HB 27, prohibiting hunting in a specified portion of the town of Bow with any firearm other than a shotgun, muzzle loading rifle, or bow and arrow.

HB 37, relative to the taking of raccoons.

HB 53, relative to syringes for diabetics.

HB 102, relative to the department of libraries, arts and historical resources.

HB 185, clarifying the department of transportation's authority in maintaining and operating rail operations.

HB 212, relative to the board of chiropractors.

HB 259, permitting selectmen to set fees.

HB 454, relative to the interest due on property tax bills.

HB 455, relative to appeals in child abuse or neglect cases.

HB 499, relative to administration of medications to clients receiving services in the state mental health system.

HB 507, relative to child care.

HB 511, relative to medical records.

HB 512, relative to zoning ordinance protest petitions .

HB 611, relative to service dogs.

Senator Johnson for the committee.

Adopted.

ANNOUNCEMENTS

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the bills ordered to third reading be read a third time by this resolution, all titles be the same as adopted and that they be passed at the present time; and that when we adjourn, we adjourn until Tuesday, April 4, 1989 at 1:00 p.m..

Adopted.

LATE SESSION

Third Reading and Final Passage

HB 15, repealing certain laws relative to measuring wood.

HB 201, relative to protective custody of abused or neglected animals.

HB 163, concerning certain labor laws.

HB 140-FN, relative to delinquent children and children in need of services.

HB 298-FN, relative to the statute of limitations for actions against governmental units.

HB 14, relative to legalizing town meetings.

HB 167-FN, relative to taking or acquisition of condominium common areas by eminent domain.

HB 285-FN, relative to liens on real property for hazardous waste cleanup costs.

HB 51, relative to a vehicle width on certain highways.

HB 176-FN, requiring certificates of title for vehicles owned by the state and political subdivisions.

HB 197-FN, to reclassify portions of certain highways in the town of Seabrook.

HB 408-FN-A, relative to a study of the highways in Sullivan and Cheshire counties.

HB 729-FN, requiring labeling of solid and hazardous waste collection containers.

HB 38, increasing the legal length of lobster; establishing a lobster management program and creating an advisory committee.

Senator Currier moved to adjourn.

Adopted.

Adjournment

Tuesday, April 4, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Krasker in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we pray to you for guidance as we play the game of checkers to come up with a monetary settlement to solve our needs! Let's be winners and not losers!

Amen

Senator King led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

HB 325, relative to disciplinary actions against veterinarians. Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This bill basically is a bill that tightens up the statutes for the board of veterinary medicine. It clarifies the appeals process and I would urge the full Senate to go along with the committee report.

Adopted. Ordered to Third Reading.

HB 402, relative to the state archivist. Ought to Pass. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: HB 402 is merely a housekeeping bill. It does two things. One, there was a revision last year of a statute to the state archives and one of the things that was left out inadvertently was the line saying that the salary of the state archivist shall

be specified in RSA 94-1 and this bill does that. Secondly, it adds three duties to the archivist that has to do with microfilming and it's something that we're all ready doing. There is no fiscal impact and it just puts into statute what is being done all ready.

Adopted. Ordered to Third Reading.

HB 554, relative to the advisory council on the sale and fitting of hearing aids. Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This is a housekeeping bill also; relative to the advisory council regarding hearing aids. What basically has been happening is that the composition of the board has been restricted so that people who were fitting hearing aids or a hearing aid dealer were not allowed to be members of the board. Basically, this legislation changes that so that anyone in that field can, in fact, be a member of the board. The current law restricts the composition of the board in such a way that they haven't been able to get people from the various professions that are outlined in the board to serve because most of them today are hearing aid dealers themselves.

Adopted. Ordered to Third Reading.

HB 655-FN, to permit a credit or cash refund for overpayment of taxes or other charges owed by an insurer. Ought to Pass. Senator Freese for the Committee.

SENATOR FREESE: This bill was introduced at the request of the Insurance Department. At the moment, we have no mechanism in the department to reimburse insurance companies if they discover that they've made an error in payment to the department. The example that was given at the hearing was that the insurance companies who write worker's compensation, for instance, in this state, are assessed by the labor department in a percentage of the premiums. A number of times insurance companies have not taken advantage of the fact that they are allowed to offset that payment against their own premium taxes. They have discovered that in a year or two or three years down the line that they could have in fact done that, but when they don't do it, within the prescribed time, the department isn't able to make the refund unless they go to court. This bill simply allows the insurance department to make a refund within the three year period when these refunds are appropriate.

Adopted. Ordered to Third Reading.

HB 148-FN, relative to relocation assistance and real property acquisition. Ought to Pass with Amendment. Senator Dupont for the Committee.

SENATOR DUPONT: HB 148 actually has a history that goes back a couple of years when the State of New Hampshire was requested by the federal DOT to come into compliance with their Surface Transportation and Relocation Assistance Act. Basically, what you're talking about here is when the State of New Hampshire acquires property or acquires a business that's in the way of a public project, how we reimburse and how we handle relocation and assistance to someone that has to move as the result of a public project. It clarifies and, in fact, enhances the ability of the state to deal with misplaced individuals. So, we thought it was a very good piece of legislation and very timely.

AMENDMENT TO HB 148-FN

Amend RSA 124-A:2, II(d) as inserted by section 1 of the bill by replacing it with the following:

(d) Solely for the purposes of RSA 124-A:3 for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display or displays, whether or not such display or displays are located on the premises on which any of above activities are conducted.

Amend RSA 124-A:2, IV(a)(2) as inserted by section 1 of the bill by replacing it with the following:

(2) Solely for the purposes of RSA 124-A:3, I and II and RSA 124-A:7, any person who moves from real property, or moves his personal property from real property; and

Amend RSA 124-A:3, III as inserted by section 1 of the bill by replacing it with the following:

III. Any displaced person eligible for payments under paragraph I of this section, who is displaced from his place of business or farm operation and who is eligible under criteria established by the lead agency, may elect to accept the payment authorized by this paragraph in lieu of the payment authorized by paragraph I of this section. Such payment shall consist of a fixed payment in an amount to be determined according to criteria established by the lead agency, except that such payment shall be not less than \$1,000 nor more than

\$20,000. A person whose sole business at the displacement dwelling is the rental of such property to others shall not qualify for payment under this paragraph.

Amendment adopted. Ordered to Third Reading.

HB 223-FN, relative to investment of state funds in corporations doing business in Northern Ireland. Ought to Pass. Senator St. Jean for the Committee.

SENATOR ST. JEAN: The Internal Affairs committee met on HB 223-FN and heard extensive testimony from a variety of individuals on this particular piece of legislation, some of whom were flown over by the British Government who opposes this legislation. Which, I thought was quite interesting and so did other members of the committee. This piece of legislation deals with eight principles which are called the MacBride Principles, which deal in pretty much fear of employment for those individuals over there in Northern Ireland. The rate of unemployment in some of the Catholic areas in Northern Ireland can range from 60% to 80%, in those particular areas. This is a New Hampshire piece of legislation brought to the House, passed by an overwhelming majority, and now it's in the Senate. A constituent of mine, Jim Finnigan, had an inside editorial last week. In it he said; the case has direct application to the MacBride Principle, a set of guidelines recently endorsed on the nationwide level by Congressman Chuck Douglas. It calls on American employees to take positive action to combat religious discrimination in Northern Ireland. I think that pretty much sums up what this legislation is all about. I also received a letter from the Bishop and he supports this legislation, specific guidelines for the state treasurer to consider investing before corporations do business in the state.

Currently, there are two corporations that invest in Northern Ireland and they are General Motors and DuPont. This legislation requires on a yearly basis that they report through the state treasurer's office. That's pretty much what this legislation is all about. I think it's an easy piece of legislation to support and we in Internal Affairs urge its passage.

SENATOR BARTLETT: I, too, sat in on Internal Affairs regarding HB 223. I stand in opposition to it today because I think it sends the wrong message. It says we think human rights should be a priority in Northern Ireland, and that's what we're going to vote for. I don't think anyone in this Senate does not believe in human rights every where throughout the world. The problem that I feel, that we're sending the wrong message out. That we're sending the message out

that we should deal with human rights in Northern Ireland, but it doesn't make any difference through the rest of the world. I think if you're going to deal with this issue, you should deal with it on an entire basis. That it's wrong for us to invest in any company doing business in any country that violates human rights. What you're really saying is; we want to do something in Northern Ireland, we want to forget the rest of the world. If that's the message that you want to send out of here today, you vote for the bill. If you think we should address human rights everywhere, then I think you should vote against it.

SENATOR ST. JEAN: Would you believe, Senator, that I think the message that we're sending out is that when people get involved in the State of New Hampshire and go to the people's legislature and introduce this type of legislation with all types of support, that we don't in any way condone any type of discrimination in this world. That if other groups of individuals want to introduce that legislation, I certainly will endorse that legislation as will other members on the majority on this vote?

SENATOR BARTLETT: Senator, to answer your question, I have no objection to the rights of the human beings to be properly addressed in Northern Ireland. I think that if you really feel this way morally, that you should address those rights everywhere the State of New Hampshire invests money and not specifically in Northern Ireland. Now, we did discuss the fact that we might make this all encompassing and I understand that you wish to keep it just directly to Northern Ireland and that's perfectly all right. The problem that I see, as a member of this body, is it is possible that every week or every year we could now be opening this Senate up to addressing human rights in every country in the whole world.

SENATOR ST. JEAN: Do you think that's all bad, Senator; that we look around the world and we're the newly elected representatives to introduce this legislation that this citizen legislature should pass legislation?

SENATOR BARTLETT: Senator, again we're going around. If we believe in the issue of fairness in human rights and not violating human rights then we should address that issue totally and not specifically with one country or one province. I have no quarrel with the people of Northern Ireland being treated properly. I think we should address the issue as an entity and set a policy that New Hampshire does not tolerate this in any country by any company.

SENATOR DELAHUNTY: While I don't disagree with the Senate President, this legislation on the MacBride Principle was requested and proposed by various citizens throughout New Hampshire and it was heard in the House, passed through committee and passed the House and also heard in the Senate committee. It's proposed to better the lives of the Catholic denomination in Northern Ireland. I think if other people felt the same way, they certainly could come with similar legislation in ensuing years and I could support that if the circumstances were the same. This particular piece of legislation does deal with companies that invest in Northern Ireland. Those are the specifics and I think the cause and the case is worthy enough for us to give it consideration and support the legislation and I would hope that you would all do so.

SENATOR PODLES: Senator St. Jean, do you think that we should pass legislation that will have an effect on a foreign state, be a New Hampshire state law and be in our statutes?

SENATOR ST. JEAN: Yes.

SENATOR JOHNSON: I think Senator Bartlett laid out the thoughts pretty well that I would like to express, but I'd like to say this; if this were a resolution I would endorse it enthusiastically. If this were a bill that broadened the scope, I would endorse it enthusiastically. But, what we have before us is a bill that enshrines a New Hampshire law stating how we're going to deal with a specific country and I believe that this is an inappropriate precedent for this legislature to set at this time. The potential for getting involved in dozens and dozens of other countries across the world will be right down the block from us, because human rights are an issue all over the world here. Yes, I abhor, like all of us, any kind of discrimination, religious or other kinds, that's taking place any place in the country. I think it's just inappropriate to put in to New Hampshire statutes how we're going to deal with a particular country. But, I'd like to make it crystal clear that the whole notion of religious discrimination is abhorrent to me, and I'm sure to you all also.

Adopted. Ordered to Third Reading.

HB 471, regarding review of development which may have regional impact. Inexpedient to Legislate. Senator Preston for the Committee.

SENATOR PRESTON: This bill would require municipalities which plan to allow developments within their communities that may have regional impact, to notify other governing bodies that would be im-

pected. It was the feeling of the committee that this really did not achieve that much specifically and would have another layer of networking in an all ready complicated process. Most of the communities are now working with their regional planning commissions to discuss the impacts by region. I don't think we need the law to do this. We can notify other communities, they have good working relationships with one another in the various regional planning areas. So, I recommend your support of inexpedient to legislate.

Adopted.

HB 617-FN, relative to the public utilities commission appointing a receiver for a public water utility. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: This bill will authorize the Public Utilities Commission to appoint a receiver to go in and correct problems of small water companies. It's a bill they hope they never have to use again. It's a result of a request by the public utilities commission to go in when a very small water company has failed and either the people aren't receiving the water or they're receiving a very poor quality of water. This will allow them to go in and make the repairs and the expenses will be borne by the users of that water facility.

Adopted. Ordered to Third Reading.

HB 523, relative to a privilege for confidential communications between guardian ad litem and child. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: HB 523 recreates the confidentiality of privileged communications between the guardian ad litem and the child. The guardian ad litem would hold the privilege and have authorization to waive the privilege should the child's ability to make decisions become impaired. The passage of this bill is important for children in New Hampshire in custody cases. They need the protection offered by the bill. The amendment changes the effective date to upon passage. The committee recommends ought to pass with amendment.

AMENDMENT TO HB 523

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

HB 625-FN, permitting a county to impose a lien on real and personal property for nonreimbursement of certain court-ordered expenses. Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: HB 625 is enabling legislation. It allows the county to petition the superior court to impose a lien on the real and personal property of any person responsible and financially able to pay reimbursement of the amount due to a county for expenses relating to delinquent children and abused and neglected children and CHINS. It puts some teeth into the existing legislation. Ten counties are supporting this legislation and the committee recommends ought to pass.

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bond in the Chair.

HB 314, relative to expanded polystyrene in the construction of houses. Inexpedient to Legislate. Senator Bass for the Committee.

SENATOR BASS: The committee having reviewed this bill felt that it was going to do nothing but damage, not only to the building industry of the state, but the energy conservation movement. Furthermore, the definitions of expanded polystyrene were unclear. It would drastically and substantially upset the standard building practices which are already accepted in all of the towns of the state. We feel that this bill slipped by the House without the scrutiny that it should have had. We urge the Senate to support the committee report of inexpedient.

Adopted.

HB 338, relative to the authority of the Hillsborough county convention to employ a delegation coordinator. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: The committee urges that you adopt the committee report of ought to pass. The Hillsborough county already has a delegation coordinator; however, the county commissioners are responsible for hiring that individual. The executive committee and the full legislative committee of the Hillsborough county feel this would not cost the county any more money, it's simply a transfer of authority from the county commissioners to the executive committee. The Hillsborough county delegation urges your adoption of the committee report.

Adopted. Ordered to Third Reading.

HB 389-FN, enabling cities and towns to increase the veterans' exemption and the property tax exemption on residential property for a service-connected total disability. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: This is a bill that you should all be interested in voting for. It's enabling legislation that will permit our cities and towns to expand the existing veterans' exemption on property. It will also enable cities and towns to increase the optional property tax exemption for permanently and totally disabled veterans from \$700 today to \$1400 in this bill. The other increase was from \$50 to \$100. It does not expand the eligibility for any veteran. There was no opposition to this legislation. It was supported, as you might imagine, by all the veteran organizations in the state. The municipalities can determine in advance how much money would be involved, they could predict what the impact would be and the committee recommends ought to pass on HB 389-FN.

Adopted. Ordered to Third Reading.

HB 456-FN, changing the due date for county taxes. Ought to Pass. Senator King for the Committee.

SENATOR KING: HB 456 merely changes the due date for county taxes from December 7th to December 17th, to give communities a little more time to get their taxes in. The committee urges ought to pass.

Adopted. Ordered to Third Reading.

HB 472, relative to appeals to the zoning board of adjustment. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: The committee urges your adoption of the committee report of ought to pass. Basically, all this bill does is define the term administrative officer and decision of administrative officer. The key word here is administrative officer. Apparently, there were orders by selectmen or town managers that were unappealable because the definition was not clear. We urge support of the committee report.

SENATOR NELSON: Looking at the bill, on page two, what's the decision? Is that a new definition? I know you're defining this term, but then you're talking about a decision of the administrative officer; is it just his function?

SENATOR BASS: Senator Nelson, the purpose for the change in definition is the key to the word, 'administrative officer', and the only difference between paragraph A and B is you add the word 'decision' so, that a person having a problem with the decision of an administrative officer can appeal as well as appealing from the administrative officer's position itself.

Adopted. Ordered to Third Reading.

HB 473, relative to building codes in municipalities. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: The Public Affairs committee urges that you adopt the committee report of ought to pass. This is the day for Public Affairs committee bills of a minor nature and this is certainly one of them. All this does is allow towns to do what they have been doing in the past anyway, which is to adopt nationally recognized building codes, which are listed in the bill, when they are in the process of adopting building ordinances. We urge your support.

Adopted. Ordered to Third Reading.

HB 484, relative to checkout procedures after votes are cast. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 484 is an instance of where technology has gotten ahead of the RSA's. Ballots can now be counted by machines, so it's inappropriate to require that the ballots be folded before depositing the ballot.

Adopted. Ordered to Third Reading.

HB 248-FN, establishing a study committee on deinstitutionalization in New Hampshire. Inexpedient to Legislate. Senator Krasker for the Committee.

SENATOR KRASKER: This bill establishes a committee to study the issue of deinstitutionalization and whether it's working for both the public and the mentally ill person. The sponsor of the bill came to us and said that this was in response to a campaign issue that he had raised when he was running for office because he had seen people, he felt, were deinstitutionalized who were roaming the streets. The committee pointed out to him that there is already a study being conducted by the legislative budget office dealing with this entire issue. Some of the information that he was seeking to get is included in the recently completed study on the homeless. Having

been told this, the sponsor of the bill, Representative Cole, said that he certainly would leave it to the discretion of the committee that, if indeed, this study was being undertaken, then he was agreeable to our ruling that this bill should be inexpedient, which we have done. We commend the sponsor and it was our advice to him, at the committee hearing, that he involve himself in the LBA process, which is now going on, which will include the issue of deinstitutionalization.

Adopted.

HB 119-FN, making technical changes in certain revenue statutes for the department of revenue administration. Ought to Pass. Senator Bartlett for the Committee.

SENATOR BARTLETT: The Senate Ways and Means committee studied this bill very long and hard; they've given me one of the harder bills to report out! Basically, what Ways and Means found out was that this bill tracks exactly with what the Legislative Budget Audit committee recommended from their audit of the Department of Revenue Administration. Ways and Means recommends ought to pass.

Adopted. Ordered to Third Reading.

HB 320-FN-A, relative to the penalty of overdue payments under the interest and dividends tax. Ought to Pass. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: If this bill passes, HB 320, if someone had a ten dollar tax liability on his dividends and interest tax and he was a year late in filing, a lot of people don't realize that they have this liability, then the maximum penalty would be 25%, or \$2.50. The way the law reads now, a lot of the elderly people that have dividends and interest, some of them have a tax liability of ten, twenty, twenty-five dollars and they're getting hit with a penalty of \$50. Ways and Means agrees with HB 320 and asks you to support it.

Adopted. Ordered to Third Reading.

HB 441-FN-A, relative to bingo games conducted by charitable organizations. Inexpedient to Legislate. Senator Dupont for the Committee.

SENATOR DUPONT: We heard extensive testimony on HB 441 before the Senate Ways and Means committee. There is still a significant amount of concern out there about how bingo games are being

operated and the committee felt that, at this point in time, this was a step that would allow for the awarding of larger prizes by bingo therefore, incurring additional problems for our present bingo inspectors. So, we felt that it was inappropriate to go forward at this point in time.

Adopted.

HB 460-FN, relative to notice that tax payments may be due under the interest and dividends tax. Ought to Pass. Senator Roberge for the Committee.

SENATOR ROBERGE: (tape inaudible)

Adopted. Ordered to Third Reading.

HCR 7, 1989 Joint Rules. Ought to Pass with Amendment. Senator Hough for the Committee.

SENATOR HOUGH: You have before you a document and these are the joint rules as you received them on the second session day, back in January, and further, you are going to get a handout. I think that's going to be more significant because it outlines clearly what the dates are and the crossover dates for non-money bills is March 23rd, Ways and Means revenue bills is April 11th and budget, capital and operating, and appropriation bills on the 13th of April for the originating body. Then there are dates that indicate the non-originating body, committee of conferences and final action. That pretty much tells all. If you'd take this schedule and take your calendar and mark it off, this would indicate the key dates through the balance of May and the session. These dates, while not having been adopted to date, and that's our intent today, are the dates that we've been proceeding with since the original. Mr. President, it's my understanding that also there is an amendment on the Senators desks and we have before us the resolution for the adoption of joint rules and procedurally I would think that an amendment would be offered by this document and we would adopt that amendment. Then the resolution that is before us would have been amended by this amendment. Then we would adopt the resolution. Clearly, if you look at it, it's the last two lines that say; that legislation sent to the courts for decision by either body shall be exempted from the deadlines established by joint rules. The Supreme Court is in the possession of two, I believe, pieces of legislation that are particularly important to either body and before we were to proceed with taking action on them, we should have the benefit of an opinion from the court and this would allow us, when we receive those opinions, to proceed in a normal

fashion. So, I would move and urge that you adopt the amendment that you have in front of you that adds the exemption of legislation in the possession of the courts.

AMENDMENT TO 1989 JOINT RULES

Amend Joint Rule 24 (a) by replacing it with the following:

24. (a) First-Year Session. Any legislation not disposed of by any other motion in the first-year session by midnight on July 1 of the first-year session shall be indefinitely postponed for the remainder of the biennium.

Legislation re-referred to Committee shall be exempt from the provisions of Joint Rule 24 (a).

Legislation sent to the Courts for a decision by either body shall be exempt from any deadline established by Joint Rules.

Amendment adopted.

SENATOR NELSON: Senator Hough, I'd like to ask you a question concerning number 22; if you might just remark on this, saying that on such jointly sponsored legislation, the approval of up to five House members shall be sufficient for the introduction. It doesn't mean that anybody needs approval from anybody, right?

SENATOR HOUGH: It does not mean that you need a maximum of five; one person can introduce a piece of legislation and that's consistent with the way we've operated for the last number of sessions.

Adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Krasker moved that the rules of the Senate be so far suspended as to allow the introduction of a Senate Concurrent Resolution received after the deadline.

Adopted.(2/3 votes)

INTRODUCTION OF SENATE CONCURRENT RESOLUTION

First and Second Reading

SCR 1, amending joint rule 4-A(b).

Senator Krasker moved that the rules be suspended as to dispense with the reference to Committee, the holding of a hearing, the notice of report in the calendar and that the bill be put on second reading at the present time.

Adopted.

SCR 1, amending joint rule 4-A(b). Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: Senate Concurrent Resolution 1 is a resolution that is based on an amendment, which I proposed at the last meeting of Joint Rules to Joint Rules. In effect, what it does is limit legislation which could be introduced into the second year session by requiring a 3/5ths approval of the Joint Rules committee, of both bodies voting separately or a 2/3rds vote of both bodies. My reason for doing this was, I remember what the second year of the last session was like when we tried to abbreviate the session while still having an unlimited number of bills plus re-referred bills. I just see our work load as being so overwhelming in the second year. I've heard figures as high as 74 House bills have been re-referred and we'll be getting them. This plus an unlimited number of bills, in the second session, I think would make our work really unmanageable and would not allow us to legislate properly. It certainly wouldn't give us time for hearings of any magnitude to allow everyone to testify. It doesn't give us time to really amend the bills, to work on the bills. I think the work of the legislature will be much better effected by some limitation in the second year and this is what this concurrent resolution would do.

SENATOR HOUGH: I rise in strong support of the Krasker resolution. I would tell you and I would also indicate that I very much appreciate the strong work and support that Senator Krasker has given this. We were meeting repeatedly with our colleagues in the House rules committee over the last number of months. We were trying to structure joint rules that would address a more correct and timely procedure as we move into the second year. A number of options and offers were made. Senator Krasker came forward with this rule, if you will, and there was agreement that both bodies would seriously take this into consideration. I think the record would show that the House and the House rules members did not act in good faith. They rejected it summarily. What Senator Krasker is concerned with, and members of the rules committee and also I think the Senate as a body, is this attempt by the House to re-refer which would greatly expand the session in the second year of the biennium and this does not play to whether or not we should meet annually or biennially. The facts of life are that people such as Senator Blaisdell and myself always envisioned that we would be budgeting on an annual basis, it is more correct, given the volatility of revenues, and it makes for better management.

Aside from that issue, we would not support an expanded second year, but the House, in attempt after attempt, has done just that and

the second session is, just short of budgetary considerations, is as long as the first year. Now, if we went back to biennial sessions, which I do not support, recent history in the last quarter of a century would indicate that we would be saddled with special sessions irregardless. Under special session procedures, it is the rules committees that meet jointly and determine what is to be introduced. It's this language that Senator Krasker well knows, the mechanism how we conducted our business under the biennial session. So don't confuse whether or not you support or are in favor of one change in the constitution versus the other. Clearly, this is a forthright attempt to establish and make the House recognize that there is a more correct way to proceed in the second year. That's what the attempt is. There had been an agreement that each body would act separately. We certainly want a strong message to send to the House that we are not going to be receptive to reinventing the wheel, rehashing subjects that we have seen and can see them session after session. We're going to try to more properly conduct our business and more properly discipline ourselves by limiting a wide open second year. That's what this entails. I congratulate Senator Krasker. I urge you to pass this unanimously.

SENATOR BASS: I rise in strong support of this Krasker resolution. Senator Hough mentions the situation where we're going to have to make the House do something. Well, as a former member of the House, I stood before that body about eight or ten months ago when a similar resolution was brought to it by the leadership; i.e. considering budgetary matters and substantive matters in the first year and trying to eliminate as much consideration as possible from the second year. There was all sorts of moans and groans from the membership that we were changing our institutions and we didn't know what the consequences would be. But, I stuck up for the leadership because I think this is one of the first legitimate attempts to really deal with the question of annual sessions in a positive and progressive fashion. It does not destroy any single legislator or Senator's right to have access to the system because you can bring the question in the second year even to the rules committee or the full body and if there's any kind of pressing need for a particular piece of legislation it will always pass because there will be enough people that are concerned about it to have it come forth. What it will prevent, however, is repetition, reintroduction, public hearing processes, over and over again in the second year when we dealt with most of the current issues of the day in the first year. I applaud both the leadership of the Senate, both sides of the aisle, as well as Senator Krasker for coming forward with this amendment and I only

wish that the House would do this year what they said they wanted to do last June and move towards making annual sessions work.

Adopted. Ordered to Third Reading.

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage and all titles be the same as adopted and that they be passed at the present time.

Adopted.

Third Reading and Final Passage

HB 325, relative to disciplinary actions against veterinarians.

HB 402, relative to the state archivist.

HB 554, relative to the advisory council on the sale and fitting of hearing aids.

HB 655-FN, to permit a credit or cash refund for overpayment of taxes or other charges owed by an insurer.

HB 148-FN, relative to relocation assistance and real property acquisition.

HB 223-FN, relative to investment of state funds in corporations doing business in Northern Ireland.

HB 617-FN, relative to the public utilities commission appointing a receiver for a public water utility.

HB 523, relative to a privilege for confidential communications between guardian ad litem and child.

HB 625-FN, permitting a county to impose a lien on real and personal property for nonreimbursement of certain court-ordered expenses.

HB 338, relative to the authority of the Hillsborough county convention to employ a delegation coordinator.

HB 389-FN, enabling cities and towns to increase the veterans' exemption and the property tax exemption on residential property for a service-connected total disability.

HB 456-FN, changing the due date for county taxes.

HB 472, relative to appeals to the zoning board of adjustment.

HB 473, relative to building codes in municipalities.

HB 484, relative to checkout procedures after votes are cast.

HB 119-FN, making technical changes in certain revenue statutes for the department of revenue administration.

HB 320-FN-A, relative to the penalty of overdue payments under the interest and dividends tax.

HB 460-FN, relative to notice that tax payments may be due under the interest and dividends tax.

HCR 7, 1989 Joint Rules.

SCR 1, amending joint rule 4-A(b).

RECONSIDERATION

Senator Blaisdell, having voted with the majority, moved reconsideration of HB 223, relative to investment of state funds in corporations doing business in Northern Ireland.

Motion failed.

Senator Dupont moved that the Senate be in recess until Tuesday, April 11, 1989 at 1:00 p.m. for the sole purpose of introducing legislation, referring bills to committee, and scheduling hearings.

Adopted.

Recess.

Tuesday, April 11, 1989

Out of Recess.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Tuesday, April 11, 1989.

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Tuesday, April 11, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Delahunty in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. With the thoughts of the coming summer on our minds and all which it offers, we ought to be able to work out an amicable budget and any other controversial legislation which comes before us. Help us Lord, for thy mercy is great and thy vengeance is terrible.

Amen

Senator Torr led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGES

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 71, relative to the department of education.

HB 134-FN, relative to the deaf and hard of hearing.

HB 182-FN, reclassifying certain highways in the towns of Carroll and Belmont.

HB 197-FN, to reclassify portions of certain highways in the town of Seabrook.

HB 272-FN, relative to Pike's school in Haverhill, New Hampshire.

HB 494, relative to the transition period for a new state treasurer and a new secretary of state.

HCR 7, 1989 Joint Rules.

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 291-FN-A through 532-FN shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 291-FN-A, relative to the real estate transfer tax. (Ways & Means)

HB 327-FN-A, relative to the rate of the real estate transfer tax. (Ways & Means)

HB 414-FN-A, relative to the sale or exchange of beneficial interests in business organizations for business profits tax purposes. (Ways & Means)

HB 422-FN-A, relative to increasing the rate of the business profits tax, and relative to establishing a committee to study the business profits tax. (Ways & Means)

HB 532-FN, establishing a committee to study the revenue structure in New Hampshire. (Ways & Means)

COMMITTEE REPORTS

HB 241-FN, relative to purchasing airports, establishing airport districts, authorizing airport property tax base sharing agreements, and clarifying certain statutes relative to aeronautics. Ought to Pass. Senator Torr for the Committee.

SENATOR TORR: HB 241-FN is a housekeeping measure for the aeronautics commission. In addition to that, it allows the state the right of first refusal of any privately owned airport that comes up for sale. The bill also authorizes two or more municipalities, subject to approval of the legislative body of each community, with the approval of the Governor and Council, the state and the town to enter into a cooperative agreement to share their airport property taxes. It also addresses the issue of the use of alcohol and drugs at airports. It addresses the issue of fees in lieu of property taxes on certain categories.

Adopted. Ordered to Third Reading.

HB 292-FN, extending the study and evaluation of state Route 101 A corridor in the Nashua region. Ought to Pass. Senator Roberge for the Committee.

(tape inaudible)

Adopted. Ordered to Third Reading.

HB 384-FN, establishing a task force to review the recommendations of the Manchester airport and Highway study. Ought to Pass with Amendment. Senator Roberge for the Committee.

SENATOR ROBERGE: This is a task force to study recommendations concerning the expansion of the Manchester airport. The amendment, on page 9 of the calendar, only changes the makeup of the committee from three members of the Senate and three members of the House to two members of the Senate and two members of the House and adds a person from Londonderry and a person from Manchester. I urge passage.

SENATOR STEPHEN: I rise in support of this bill. This bill supports Manchester in this effort. The expansion of this facility would greatly improve the business force and would also benefit the average citizens. I think it's important that we support this.

AMENDMENT TO HB 384-FN

Amend subparagraphs I(a) and (b) of section 1 of the bill by replacing them with the following:

(a) Two members of the senate, appointed by the senate president.

(b) Two members of the house of representatives, appointed by the speaker of the house.

Amend paragraph I as inserted by section 1 of the bill by inserting after subparagraph (f) the following new subparagraphs:

(g) The chairman of the Londonderry Ad Hoc Committee for Industrial Development.

(h) One member appointed by the chairman of the Greater Manchester Chamber of Commerce Aviation Committee, who shall be a resident of the city of Manchester.

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

Amendment adopted. Ordered to Third Reading.

HB 46, relative to applications for approval of plans for a waste disposal system which contain encroachment waiver requests. Ought to Pass. Senator Freese for the Committee.

SENATOR FREESE: This bill requires that a person who files for an application for subdivision of a sewage or a waste disposal system, contain a request for the waiver of the provisions adopted under the chapter and must notify abutting land owners. What we are talking about is this business of overlapping onto a neighbors property, which may affect what he himself may do with that property, should he want to. The basic purpose was to make sure that a neighbor at least knew about it, that somebody was going to encroach upon his land and request a waiver. It also includes notices to people to whom notices have been sent that they have a certain period of time in which they can take some action, the notice that the division is required to act on is an application within 15 days. We had an actual case presented to us where a constituent in my district on Lake Winnepesaukee had a lot next to a neighbor and the neighbor didn't have enough land for a sewage system and he was allowed to encroach on his neighbor's land without the neighbor's knowledge, with regards to this system. Had this bill been in effect at that time, that oversight would not have been made. So, the committee urges ought to pass.

Adopted. Ordered to Third Reading.

HB 81-FN, relative to dam permitting authority. Ought to Pass Senator Bond for the Committee.

Senator Bond moved to recommit HB 81-FN to the committee.
Adopted.

HB 130-FN, requiring certification of operators of pollution control facilities and relative to renewals of water works operator certificates. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 130-FN was a request of the Division of Water Supply and Pollution Control. It does require that operators of pollution control facilities be certified by the Division of Water Supply and Pollution Control and authorizes them to adopt rules. It changes the procedure for the renewal of certificates of water works operators. The renewal shall go from annually, at \$20, to every two years at a fee of \$40. It just doubles it and I would urge adoption.

Adopted. Ordered to Third Reading.

HB 132-FN, relative to the division of water supply and pollution control enforcement orders. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: The committee urges that you support the committee's motion of ought to pass on this bill. It basically makes some housekeeping changes to the enforcement provisions relative to the Division of Water Supply and Pollution Control. The most substantive of the changes basically relates to the recording of disposal violations, so that if you are buying a piece of property, you'll be able to tell in future years whether or not there is a problem with pollution on the property. I urge the support of the Senate.

Adopted. Ordered to Third Reading.

HB 151-FN-A, continually appropriating revenue from certain OHRV fines. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: HB 151 is entirely found in lines ten and eleven. Twenty percent of the part of the fine that exceeds \$10 is to be spent by the OHRV department on its enforcement. The way that the language was in the law; the money was set aside but had to be appropriated, this simply means that this is continually appropriated, that as the fines come in they are available to the department. The department requested this bill.

Adopted. Ordered to Third Reading.

HB 154, limiting the horsepower of motors on Upper Kimball Pond in the town of Chatham. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This is a good bill. We had a good hearing. Upper Kimball Pond is a long, narrow, shallow pond with summer cottages on its shores. The abutters all agree that it would be most desirable to limit the horsepower so that the lake is not churned by large boats. We urge your support.

SENATOR NELSON: Senator Bond, I was just curious as to the impact of the jet skis on this lake. Are they also banned from this pond?

SENATOR BOND: If they are under 10 horsepower they would not be banned.

Adopted. Ordered to Third Reading.

HB 206, prohibiting the use and operation of petroleum-powered boats on Bradley Lake in the Town of Andover. Inexpedient to Legislate. Senator Bond for the Committee.

SENATOR BOND: This bill would have prohibited the operation of any boat powered with a petroleum motor on the waters of Bradley Lake in the town of Andover. It was the opinion of the committee that this bill did not receive proper hearing before the abutters on the lake and that before any such profound impact should occur, that the people who own property and operate boats on the lake should have some say as to its being in place and therefore we find that it should be inexpedient.

Senator McLane moved to lay HB 206 on the table.
Adopted.

HB 207, prohibiting the use and operation of petroleum-powered boats on Waukeena Lake in the Town of Danbury. Ought to Pass. Senator McLane for the Committee.

SENATOR MC LANE: This is a lake bill about which there was no disagreement. Miracle of miracles! It is a 52 acre lake in the town of Danbury. All but two of the land owners around it signed a petition, asking that there be no petroleum motor boats upon the lake. The two that didn't sign it never sign anything, according to the sponsor.

There is a loon on this lake. It is spring fed, shallow and stagnant in places. This bill was put in by Representative Phelps at the suggestion of his selectmen.

Adopted. Ordered to Third Reading.

HB 222, limiting horsepower of motors on Indian Pond in the Town of Orford. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill limits the speed that boats can travel on Indian Pond in the town of Orford to 6 miles an hour. The amendment said ten horsepower or in excess of trolling speed. The committee felt it would be better to bring it into conformity with the other speed restriction bills that we have on the books. I urge the Senate's support of the committee report.

AMENDMENT TO HB 222

Amend the title of the bill by replacing it with the following:

AN ACT

limiting the speed of power boats on Indian Pond
in the town of Orford.

Amend RSA 486:38 as inserted by section 1 of the bill by replacing it with the following:

486:38 Indian Pond.

I. No person shall use or operate any power boat with any type of power motor in excess of 6 miles per hour upon Indian Pond in the town of Orford.

II. Any person who violates this section shall be guilty of a violation.

Amendment adopted. Ordered to Third Reading.

HB 254-FN, establishing a study committee to examine issues relative to the great ponds in the White Mountain National Forest, access to public waters, and control and maintenance of public boat ramp sites. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: The distinguished Assistant Clerk just read to you exactly what the bill does. It does no more, no less than that. There was no opposition presented in the committee. We felt that the result would be good for the state and we urge the Senate's adoption of the committee report, ought to pass.

Adopted. Ordered to Third Reading.

HB 302-FN, relative to the setting of the deer season. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill authorizes the executive director, after consulting with the fish and game commission, to set the deer season for a two year period of time and to fix the number and conditions for taking deer. This act is effective upon passage because, as of right now, the commission is trying to set a deer season and they don't have statutory authority.

Adopted. Ordered to Third Reading.

TAKEN FROM THE TABLE

Senator McLane moved to take HB 206 off the table.
Adopted.

HB 206, prohibiting the use and operation of petroleum-powered boats on Bradley Lake in the Town of Andover. Inexpedient to Legislate. Senator Bond for the Committee.

Senator McLane moved to substitute Ought to Pass for committee report.

SENATOR DISNARD: Senator McLane, does this mean that if HB 206 is passed it will go against the recommendation of the committee and it will penalize those people who have property on Bradley Lake who didn't have an opportunity to voice their opinion?

SENATOR MCLANE: No, I do not believe that the motion ought to pass means that it's passed. It means it's merely off the table for our consideration so that I could present an amendment. I will guarantee you that the amendment has the approval of the committee and of the sponsor of the legislation.

Adopted.

Senator McLane offered a floor amendment.

SENATOR MCLANE: The floor amendment that has been presented to you limits the petroleum-powered boats on Bradley Lake to 30 horsepower. This bill was put in by Representative Bardsley and Representative Phelps at the request of the selectmen in that town. We had testimony from people who would have been hurt by a complete ban on petroleum-powered boats on the lake. The situa-

tion, now, is that the lake is divided in half with an island in the middle. On one side there are no boats because it is the public water supply, not only for the town of Andover, but for two large schools that use the water that comes out of Bradley Lake. Therefore, on the water supply end there is no boating at all. The attempt was to remove boating from the other side. Representative Phelps has worked with the selectmen and with those people that came up to oppose it. They have compromised on the fact that they may use 30 horsepower at one end of the lake and everyone seems to be happy with that and Representative Phelps brought me this amendment this morning. I have, Senator Disnard, received permission of my committee to come forward with this amendment.

SENATOR CURRIER: Senator McLane, as a member of that committee, I heard all kinds of testimony relative to, and I've seen a lot of bills dealing with, petroleum-powered boats and also with internal combustion engine boats and so forth. Why is there such a big diversity in the language in all of these bills that we're dealing with about limiting power when in fact the person could circumvent all of this by getting a boat that uses ethynol or that corn derivative alcohol boat?

SENATOR MCLANE: That's an interesting point. I'm sure that the committee vote this morning to pass a bill to study the control of boats on surface waters will take that up. In the meantime, we did change the last bill, which the definition of trolling speed or headway speed is used intermittently. Sometimes lakes are limited because of the speed of the boat, sometimes because of horsepower and I think that all of that is going to have to be looked at. To me, it just points out the proliferation of bills to control lakes. The problem with this bill, as it came before us, was that the testimony was that it was a public water supply and that's why they were trying to prevent the boats. It was brought up that there was a danger of a boat sinking and polluting the public water supply. The selectmen seem happy with the compromise that we have made; that doesn't deprive people from using boats completely.

SENATOR HOUGH: Senator Bond, I appreciate the effort that you and your committee have made to try to accommodate these people. Andover, in fact, is in my district and I was aware that both Representative Phelps and the public officials in the community had wanted this and I respect your concern that the nonresident property owners could be adversely impacted. But, in a larger scale, could you tell me what is your committee doing with the subject of power boats on lakes in general? I was under the impression that we

were trying to establish a structure or a mechanism whereby local communities could address the use of the state's public waters, if you will, in their jurisdictions? It's a general question, but are we going to see something?

SENATOR BOND: Senator Hough, at this point, all I can tell you is that we had a hearing this morning on HB 582, relative to a committee to review surface water usage. It would be made up of representatives of different departments and would act in an advisory capacity for the Department of Safety as the bill is presently constructed. We have not executed that bill. We're very aware of the problem because of the number of bills that are coming through.

Floor Amendment to HB 206

Amend the title of the bill by replacing it with the following:

AN ACT

prohibiting boats with more than 30 horsepower from
operating on Bradley Lake in Andover.

Amend RSA 486:38 as inserted by section 1 of the bill by replacing it with the following:

486:38 Bradley Lake. No person shall use or operate any petroleum-powered boat equipped with any type of petroleum-powered motor in excess of 30 horsepower upon Bradley Lake in the town of Andover. Any person who violates this section shall be guilty of a violation.

AMENDED ANALYSIS

The bill prohibits the use or operation of any boat with a petroleum-powered motor in excess of 30 horsepower on Bradley Lake in Andover.

Floor Amendment adopted. Ordered to Third Reading.

HB 70-A, establishing a study committee to examine the vocational education system. Ought to Pass with Amendment. Senator Magee for the Committee.

SENATOR MAGEE: Basically, what this bill does as amended is not establish a study committee because, frankly, the issue has been studied to death. What it does is it establishes a bonding authority so the construction project can go forth. There was no testimony in opposition to this bill in committee and the committee recommended unanimously ought to pass as amended.

AMENDMENT TO HB 70-A

Amend the title of the bill by replacing it with the following:

AN ACT
increasing the appropriation for constructing regional
vocational education centers.

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. It is the intent of the general court to continue with the plan to build regional vocational education centers. The additional appropriation contained in this act is for the purpose of funding this construction.

2 Appropriation Increased. Amend RSA 188-E:10 to read as follows:

188-E:10 Construction Appropriation. The treasurer of the state of New Hampshire is hereby authorized to make available to the state board of education for purposes of constructing regional vocational education centers an amount not to exceed [\$57,500,000] **\$75,400,000**. This appropriation shall be nonlapsing. Authorization for expenditures of such funds shall be made by the state department of education to the treasurer in accordance with this chapter. The treasurer is authorized to issue bonds in accordance with the provisions of RSA 6-A for the purpose of funding this appropriation.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill increases the capital appropriation for funding the construction of regional vocational education centers.

This bill was requested by the department of education.
Amendment adopted. Ordered to Third Reading.

HB 135-FN, relative to school administration. Ought to Pass with Amendment. Senator Magee for the Committee.

Senator Magee moved to lay HB 135-FN on the table.
Adopted.

Recess.

Out of Recess

Senator Bartlett in the Chair.

HB 138-FN, providing for a supported employment program and for an independent living program. Ought to Pass with Amendment. Senator Magee for the Committee.

SENATOR MAGEE: This bill establishes a supported employment program and an independent living program within the Division of Vocational Rehab. which will train eligible handicapped individuals in their employment situation by providing appropriate support services and services to increase their independence. There was no opposition to this bill in committee and the committee recommended ought to pass as amended.

AMENDMENT TO HB 138-FN

Amend the title of the bill by replacing it with the following:

AN ACT

providing for a supported employment program and
for an independent living program.

Amend RSA 200-C:21 as inserted by section 1 of the bill by replacing it with the following:

200-C:21 Independent Living Program. There is established an independent living program within the division of vocational rehabilitation which is intended to assist eligible handicapped individuals in increasing their independence.

Amendment adopted. Ordered to Third Reading.

HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts. Ought to Pass. Senator Magee for the Committee.

SENATOR MAGEE: This bill authorizes the Thomas More College to have degree granting authority. In the past, they have had problems before the Senate Education committee and with the post secondary education commission. However, they now have their ducks in order; so to speak, and the commission recommended that we grant them this authority.

Adopted. Ordered to Third Reading.

HB 565, relative to the state board of education. Ought to Pass. Senator Magee for the Committee.

SENATOR MAGEE: This bill establishes a situation where the members of the state board are appointed by council districts throughout the state. In the past, at one point the furthest represen-

tation was in Lebanon, I believe, and there was nothing further north. Currently, this does not displace any members and basically it's the way it should be set up, with a regional council district approach.

Adopted. Ordered to Third Reading.

HCR 5, encouraging businesses and industries in New Hampshire to offer "good student" discounts. Ought to Pass. Senator Magee for the Committee

SENATOR MAGEE: Currently, there exists a program which offers discounts by the insurance industry for drivers who have had driver's education. This concept could be expanded upon to form a partnership in which local businesses and schools work together to offer "good student" discounts. The students would have a reason to achieve and exert that extra effort while the businesses could foster good relations and build their business base. This is a program that is best initiated at the local level. However, this resolution is offered as a challenge to those participants to institute such a program. Government does not need to be involved in every program or effort there is, but can act as a catalyst as proposed here. A similar program in the State of Maryland is working and quite successful from what I understand.

Adopted. Ordered to Third Reading.

HB 762-A, making supplemental appropriations for fiscal year 1989. Ought to Pass with Amendment. Senator Blaisdell for the Committee.

SENATOR BLAISDELL: I'm very proud, as Chairman of the Senate Finance Committee, as you know HB 762, the supplemental budget, came to us and we took our time to look at the revenues to be sure that sweepstakes money would not be used to balance health and human services in the budget. The amendment, by the way, is on page 10 and 11. It shows you the revenue changes. I emphasize that 10.7 million dollars of sweepstakes revenue will not be used to balance the supplemental budget in the Senate. We substituted sweeps revenue for 10.7 million dollars of the general funds. I think that's a very important step for this Senate to take. I appreciate the grief that the Senate Finance committee took and I appreciate the cooperation of the Senate leadership who told us to solve the problem and I think we have.

The amendment also requires that when the sweepstakes commission sends to the general fund a bill to be sent to the school districts,

the money to the school districts, the money usually came out of the general fund. I think I stated before that sweeps money, the sweep-stake commission took their sweet time to reimburse the general fund. So, that was money really that was owed to the general fund. It's a legitimate expense belonging to us and so we have in our possession, Senator Hough has a copy and other members of the Finance committee, that shows that one million, five hundred thousand dollars will be transferred to the general fund. It rightly belongs to us, and Senate Finance agreed that that's where that money should go. That's very important. It won't happen again. It's been happening since sweepstakes started and we directed them now to make a timely distribution of that money but also to give the money back to the general fund immediately.

We also made all of the adjustments that were necessary to revise the revenue estimates. One of the ones that I guess the House is looking at today happens to be the business profits tax. The Department of Revenue Administration spoke before us and told us that revenues from the business profits tax could go as high as between 146 and 147. The Senate, in its wisdom in the Senate Finance committee, made the adjustment to use one hundred forty-two million dollars as the revenue estimate for the business profits tax. Senator Dupont made the point in the committee, when we had the hearing on it, that this was a very conservative estimate and Senate Finance agrees to that.

We also took one quarter of one percent to balance the lapses, that we took out of lapses, which will mean another million four. Which brings us into balance and leaves us about one hundred twenty thousand balance at the end of June 30th. We think that this is the best approach. I'm sure that you people have had the schools and the people of your districts talk to you about using sweepstakes money. We don't think that was in the spirit or intent of the law. We're not criticizing the House. We did have a couple more weeks to look at revenue, I think the House should have waited, myself, to wait for that but they didn't do that, anymore than they should have done it on the 8% across the board cut. Revenues are a little bit brighter. I'm not saying that they are where we'd like them to be, but I think that we can comfortably say that we can balance the supplemental budget with a little bit more general fund revenue. We're confident of that. But, again I caution you that when we get to looking at the 1990-1991 budget that new programs are going to have to be hard looked at and certainly priorities are going to have to be set. I do say that we think, and we feel we're right, and I hope you'll agree with

us. I'd like to get this behind us so that we can get on to the real task. I ask your support of the committee's amendment.

SENATOR JOHNSON: Senator Blaisdell, what was the sweepstake commission doing with that accrued interest that you say now should have been coming over to the general fund in a more timely manner?

SENATOR BLAISDELL: Well, you know, I think the department heads had a direction that he was to maximize his revenues. So, what he was doing was telling the general fund, sending a bill over to the treasurer to send the money to the school districts. Then he would keep the money in the sweepstakes as long as he could to maximize his effort. Well, that was wrong and we picked that up in Finance. Senator Hough can address that, if you'd like, he has the fiscal committee's report that came before us and this is how we picked it up and we implemented it to the best of our knowledge how to do this. We found that they owed us a million-five and it justifies because there is a letter from the Treasurer of the State of New Hampshire telling us that a million-five was owed to us.

SENATOR JOHNSON: So what I understand you to be saying, Senator Blaisdell, is that in the final analysis you've got an almost inflated notion of the sweepstakes revenue when it was really sweepstakes revenue plus accrued interest on their money that was billed.

SENATOR BLAISDELL: Well, that's true Senator Johnson but it won't happen again.

SENATOR MCLANE: Senator Blaisdell, I've been disturbed about the Division of Children and Youth who have not been able to pay their contracted services, such as foster care, from their budget. My first question of you is, is the 4.8 that you have put in the budget sufficient to carry that division through the rest of this year?

SENATOR BLAISDELL: Yes, we think it is Senator. But, those are unknown. I'd like to make the point now that you've asked it. I want to be sure that you know that this Senate in February sent SB 4 to the House. We would have paid our bills and I want that clearly understood. We did what we thought was right, we rushed it to them. I guess if they had had just one more day, the House would have passed that bill, SB 4, and it would have been behind us. But, when the revenue estimates came out from Ways and Means in the House, certainly they got a little bit afraid and said there was not enough money to do it. I think it's there Senator, but we never know what can happen. I would hope so.

SENATOR MCLANE: In that same paragraph on page 49, it speaks of the estimated federal funds within the division of children and youth. That figure is cut by six hundred thousand, can you tell me why that federal money is cut? Is it because the State of New Hampshire hasn't matched sufficiently?

SENATOR BLAISDELL: That would be the answer, Senator. Absolutely true, it hasn't been matched.

SENATOR DUPONT: Senator Blaisdell, I just want to be sure on the sweepstakes money. Is it also not true that it was an audit that originally turned up when the state's books were audited that brought this to the attention to the fiscal committee? So, it really wasn't a discretionary issue on the part of Senate Finance.

SENATOR BLAISDELL: Absolutely true. That's where we got it from. It was in the fiscal committee, and we made the corrections.

SENATOR MCLANE: The one point five in sweepstakes interest, that was produced because the sweepstakes committee kept that money and is it true that that money, in this bill, has not been distributed to cities and towns but is reserved by the general fund in order to balance this bill?

SENATOR BLAISDELL: Absolutely true. There was no effort by anybody in the school districts or anyone to dispute this. We figure it's a legitimate thing and it belongs in the general fund and it was an oversight. It will not happen again.

SENATOR HOUGH: I rise in support of the Senate Finance committee's amendment to HB 762 and I urge you to vote for it. I really think that we should have a roll call on this issue and I would hope that we could ask for one. I think we should show the House that the Senate is very cognizant of what the committee has done in this instance to recognize our obligations and to meet our bills through the end of June. This bill could have been passed, as Senator Blaisdell said, in February but for one day and their omission in the calendar. You must take a look at the larger picture here. We have an adjusted biennial budget that has a gross appropriations level of two billion, seven hundred million. That's the size and the magnitude of the vehicle that we're talking about and when you get down to a point of being concerned of a value of one million dollars, whether or not you're going to be in and out of balance on June 30th, that won't be determined until the final closing of our books by Ernst and Whinney and it's so marginally thin that we should proceed in good confidence that we have taken very conservative estimates and it's

through the efforts of Senator Blaisdell's leadership that the bills can be paid and that we can move forward and recognize what we have to do in the next biennium. To do other than that, and hopefully we'd have to send a strong message to the House to do other than that, exacerbates the situation and precludes this body from having the participation in the biennial budget that you're entitled to. We have to get this behind it; it will meet our obligations; it will pay our bills. It can be done within the last best available estimates of revenue and we should move forward.

SENATOR PRESTON: I just want to commend the Senate Finance Chairman and the members of the committee on a bipartisan basis. It isn't my concern as much to send a message to the House as it is to send a message to the cities and towns that we're maintaining and keeping a trust with them that was made some 26 years ago when we initiated the program. I commend you for your efforts. There has been a lot of concern out there about passing cost backs to the cities, towns and counties. We've kept our word and we will continue to do so within our means.

AMENDMENT TO HB 762-A

Amend the bill by replacing section 21 with the following:

21 Sweepstakes Commission; Reimbursement of Interest. The sweepstakes commission is hereby directed to pay to the general fund the amount of interest owed the general fund as a result of the failure of the sweepstakes commission to reimburse when due disbursements from the general fund made to school districts for fiscal years 1988 and 1989.

Amend the bill by replacing section 24 with the following:

24 Capital Reserve. Amend 1987, 399:10, II as amended by 1988, 254:83 to read as follows:

II. The state treasurer, with the prior approval of the fiscal committee and governor and council, is hereby authorized to utilize 50 percent of any general fund revenue which is in excess of \$524,320,000 for fiscal year 1987, \$550,900,000 for fiscal year 1988, and [\$571,100,000] **\$567,800,000** for fiscal year 1989, as determined by the official audit performed pursuant to RSA 21-I:8, I(h) at the close of each fiscal year for the purpose of providing funds authorized by paragraph I in lieu of issuing bonds.

25 Revised Revenue Estimates; 1989. The revenue estimates for fiscal year 1989 as inserted by 1987, 400:25 and amended by 1988, 254:84 are repealed and reenacted to read as follows:

400:25 Estimates of Unrestricted Revenue.

GENERAL FUND	1989
Beer	\$ 12,300,000
Board and Care	15,000,000
Business Profits Tax	142,000,000
Estate and Legacy Tax	27,000,000
Insurance	42,000,000
Interest and Dividend Tax	36,200,000
Liquor	53,600,000
Meals and Room Tax	80,800,000
Parks Income	5,400,000
Dog Racing	8,900,000
Horse Racing	1,500,000
Real Estate Transfer Tax	31,600,000
Telephone	9,500,000
Cigarette Tax	31,000,000
Utilities	7,500,000
Other	30,500,000
Courts	23,000,000
Savings Bank Tax	10,000,000
Total	\$567,800,000
HIGHWAY FUND	
Gasoline Road Toll	\$ 91,600,000
Motor Vehicle Fees	49,900,000
Miscellaneous	9,700,000
Total	\$151,200,000
FISH AND GAME FUND	
Fish and Game Licenses	\$ 5,500,000
Fines and Penalties	70,000
Miscellaneous Sales	150,000
Indirect Costs	150,000
Total	\$ 5,870,000

26 Effective Date. This act shall take effect upon its passage.

Amendment adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Dupont moved that the rules of the Senate be so far suspended as to allow HB 762 to be placed on Third Reading and Final Passage at the present time.

Adopted.

THIRD READING AND FINAL PASSAGE

HB 762-A, making supplemental appropriations for fiscal year 1989.

Adopted.

COMMITTEE REPORTS

HB 244-FN, allowing museums to obtain title to property loaned for an indefinite time. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: This bill was supported by the historic people of the State of New Hampshire, the New Hampshire Historical Society and local historical societies. What it does is to clarify the title to property which is loaned or given to museums. It makes it possible for a museum to terminate its interest in a property after a fixed term of loan. It establishes how contracts shall be drawn between donors and the museums so that there is no question as to who the property belongs to.

Adopted. Ordered to Third Reading.

HB 497, relative to financial responsibility for hazardous materials accidents. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 497 has to do with a hazardous material accident. It has further to do with the fact that police, fire or other emergency equipment could become contaminated when responding to a hazardous materials accident. When that happens, this bill would provide for collecting the expenses incurred by the police or the fire or other emergency equipment that did become contaminated.

The bill also, as amended by the House, provides for a 30 day appeal provision and with that amended version of the original bill, it was supported by everybody that appeared before the committee, including the trucking industry representatives and the associated general contractors. The committee recommends ought to pass on HB 497.

Adopted. Ordered to Third Reading.

HB 92-FN, imposing liens on certain nursing homes. Inexpedient to Legislate. Senator Podles for the Committee.

Senator Podles moved to recommit.

SENATOR PODLES: We have some new information that we would like to be given the opportunity to take up in our committee and this is the reason why we are asking to recommit this bill.

Adopted.

HB 238, permitting competent adults to nominate their own guardians in case of future incapacity. Inexpedient to Legislate. Senator Nelson for the Committee.

Senator Nelson moved to lay HB 238 on the table.
Adopted.

HB 267, relative to vicious dogs. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: The short period of time that I've been in the State Senate, I've never come upon a body of law more complicated and more controversial than those relating to the treatment and control of dogs. We have two bills, this is the first of two and there is another one that was referred to the Public Affairs committee. This one here basically allows a parent or guardian to be held liable for a dog that does property damage so that when the dog control officer comes to the door, the owner can't say that the dog belongs to junior. Therefore, you know, he has no responsibility. It also raises the fines for violations of nuisance, menace and vicious dogs and it creates a civil forfeiture and a violation for people who violate the act more than twice rather than three times in a given year.

The amendment, which is an amendment that I offered upon reading the bill, changes the, for some reason, a female dog running at large in heat. This was changed from the category of nuisance dog to menace dog and upon examination of the state veterinarian for the details, with respect to this particular problem, he couldn't understand why it was that way so I had no choice to put females in heat running at large back into nuisance from menace. I do hope that the Senate will give this due consideration and support the committee motion of ought to pass as amended.

SENATOR DISNARD: Senator, what is a minor in terms of years in your bill?

SENATOR BASS: A minor is defined as an individual under the age of 18.

AMENDMENT TO HB 267-FN

Amend the bill by replacing section 5 with the following:

5 Change in Fines. Amend RSA 466:31-a, II(a), (b) and (c) to read as follows:

(a) **[\$10] \$25** for nuisance offenses under RSA 466:31, II(a), (b) or (c).

(b) **[\$15] \$50** for menace offenses under RSA 466:31, II(d) or (e).

(c) [\$25] **\$100** for vicious offenses under RSA 466:31, II(f).

Amendment adopted. Ordered to Third Reading.

HB 288-FN, relative to penalties for aggravated DWI and for negligent homicide. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: HB 288 increases the penalty for aggravated driving while under the influence where the drunk driver causes serious bodily injury, from a misdemeanor to a class B felony, and increases the penalty for negligent homicide from a class B to a class A felony when the death was caused by a drunk or drug impaired driver.

The amendment is to be found on page 9 and conveys a very strong message to those that would distribute drugs or be in possession of drugs of any amount. I might point out that the ranges in the first portion of the bill are not the mandatory penalties. They merely give the judge the latitude to sentence up to a maximum penalty to convey a very strong message to those driving impaired if they cause bodily injury or if they kill somebody; that they are going to pay for it. The excuse won't be well, he or she was drunk.

Regarding the amendment, any person convicted under this chapter of a possession of any amount of a controlled drug shall have his license revoked for a period of not less than 90 days, no more than one year. Any person arrested and convicted of an offense, with the intent to distribute, shall lose their license for not less than one year nor more than five. Now we've had calls and comments on this amendment, mostly from parents. In fact, the request for this amendment comes from a parent who was unable to control their child and knew they were out driving while being involved in the drug scene. So, the message is clear; 'kids, if you want your wheels, don't have any of this stuff around you.' If we're really sincere and want to recognize that these drugs are everywhere and we want to take a strong stand and try and fight this war, then I urge you to vote for this amendment.

SENATOR JOHNSON: Senator Preston, if we really want to be sincere in the passage of this bill here, can you assure me that the court system and the prison system are going to be prepared to accept these increased penalties?

SENATOR PRESTON: That's certainly very clear as far as the main portion of the bill is, that that's what we intend. The latitude is

there for the judges, but we're conveying to them how strongly we feel the offense is if you kill someone with a motor vehicle. It's a dangerous weapon.

The amendment will not have any impact whatsoever in the penal institutions; they refer to the loss of licenses.

SENATOR STEPHEN: The point of this amendment is very cut and dried. To revoke a driver's license is a very strong deterrent. When it comes to those who are convicted of possession and/or possession to sell, we should provide such a deterrent. This amendment is designed to add to the current penalties, one that has the potential to effect those who may realize how serious the abuse of drugs is. I hope that, with the passage of this amendment, young people who hold the notion of getting a driver's license above almost anything else, will think twice before using drugs. The message to these young drivers should be that; using drugs for a few minutes is not worth losing your driver's license. It's time for real legislation to pass that will make a real difference and will show a real commitment to stopping the use of drugs. Any parent will tell you that punishing your teenager by taking the car away can be very effective.

AMENDMENT TO HB 288-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to penalties for aggravated DWI, negligent homicide,
and possession of controlled drugs.

Amend the bill by replacing section 3 with the following:

3 New Paragraph; Driver's License Revocation; Controlled Drug Offenses. Amend RSA 318-B:26 by inserting after paragraph X the following new paragraph:

XI. Any person who is convicted under this chapter of possession of any amount of a controlled drug shall have his driver's license revoked for a period of not less than 90 days and not more than 1 year. Any person who is arrested and convicted of any offense under this chapter involving possession with intent to sell shall have his driver's license revoked for a period of not less than 1 year and not more than 5 years. Notwithstanding any other provision of law, records of revocations under this paragraph of licenses of persons who are 16 or 17 years of age shall be confidential.

4 Effective Date. This act shall take effect January 1, 1990.

AMENDED ANALYSIS

This bill increases the penalty for aggravated driving while intoxicated where the driver was involved in a motor vehicle accident resulting in serious bodily injury from a misdemeanor to a class B felony. This bill also increases the penalty for negligent homicide from a class B felony to a class A felony when the person caused the death as a consequence of being under the influence by alcohol or drugs.

The bill imposes mandatory driver's license revocation as a penalty for offenses involving possession of controlled drugs.

Amendment adopted. Ordered to Third Reading.

HB 367, relative to damages for wrongful death. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: I rise in support of the report, ought to pass. This is analogous to the old saying about New Hampshire, 'if you run over somebody in your car, make sure you run them over two or three times because if they're not dead, you're in big trouble, but if they're dead, your liability is limited'.

All this bill does is two things. It raises the maximum limit for wrongful death. That's where you're drunk and you run over somebody and that individual dies as a result of your negligence from \$50,000 to \$150,000. It also allows juries to consider a claim of an individual, a relative, who is dependent upon that dead person for support of some sort. That's all it does. It does not allow distant relatives to come in without any cause of action and demand compensation. That's all it does. It doesn't do any more, it doesn't do any less than that. There is nothing in this bill that says that it's a lawyer's bill. The word lawyer isn't mentioned anywhere. This is not a tort reform bill. The fact of the matter is that in the House, every single individual who is in favor of tort reform also voted for this bill. It's been voted out of the House Judiciary committee for two successive sessions, unanimously, by people on those committees who have consistently supported all of the tort reform bill. It is not related to that. Furthermore, it is not a mandate. It's not going to require any payments; it's simply going to allow a jury to consider payments.

I'll give you a very simple example. Under current law, if that person's estate (the person who was run over) can get currently \$50,000 and if the bill was passed it would be \$150,000. They can get the expenses associated with the probating of the estate and that sort of thing. The estate can recover money for what would have been the

dead person's ability to earn money. Now, if that individual is a housewife who doesn't have a job, then there's not going to be any award in that category. But, the dependents, the children, the grandchildren or any relative who is dependent upon that individual for support, under current New Hampshire law, gets nothing. All this bill does is allow a jury to consider those people in determining whether or not they are going to give an award. It is not a tort reform law bill. I urge the Senate to support the majority in the split report of the Judiciary committee of ought to pass.

SENATOR BLAISDELL: Senator Bass, I might disagree with you about tort reform because we went through this a few years back, but I don't see the word consortium in here, is it?

SENATOR BASS: No. That's a different section. I don't believe it is in the bill, Senator Blaisdell.

SENATOR BLAISDELL: Well, the analysis talks about fair monetary value of the decedent's services and that's a part of services, I think. It certainly wouldn't effect me, but I mean not at my age.

SENATOR BASS: Yes, Senator Blaisdell, I would agree with that.

SENATOR BLAISDELL: Is there anything in here about noneconomic loss? Would you like to speak to that a little bit? When we got into tort reform a couple of sessions ago, noneconomic loss was a very big part of tort reform and I read this into it Senator Bass.

SENATOR BASS: As you know, this is a very complex section of law and I am not an attorney. The issue of noneconomic losses is covered under the tort law reform limitations on actions and that area which deals with tort law. This is the wrongful death section where somebody dies as opposed to where somebody is maimed. So, therefore, it is my understanding that that particular section deals with the tort law reform issue. It is a separate section.

SENATOR BLAISDELL: From \$50,000 to \$150,000 what was the rationale for that; especially when we're trying to keep the cost of insurance down?

SENATOR BASS: Senator Blaisdell, it was the same number that was set in the previous two bills over the last two years. It was my understanding that the amounts recoverable have not increased for some period of time. I have to get the RSA's out to get that information for you. I do recall though, that 20 years ago there was only \$25,000 so, basically this is an increase that is justified as a result of

the facts that the limits haven't been increased for some period of time and they needed to reflect some sort of monetary value for wrongful death.

SENATOR ST. JEAN: Senator Blaisdell, now that you have mentioned tort reform and I can remember your speech very vividly on tort reform a few years ago, in which you told this Senate, and other Senators said the same, that our insurance rates would come down with the passing of tort reform. The availability of insurance would be increased. Senator, can you tell me in all honesty that insurance rates have come down dramatically, as you said on this Senate floor, some years ago?

SENATOR BLAISDELL: I didn't say dramatically because I can't even spell it. I think what I said was that it would stabilize.

SENATOR ST. JEAN: No, Senator, you did not say that. Would you believe, Senator, that you gave percentages of how much the rates would come down?

SENATOR BLAISDELL: Did I really?

SENATOR ST. JEAN: Yes. Would you believe that had I introduced my amendment, which would have put into law as an amendment the numbers that you said the insurance rates would have come down with the passage of tort reform?

SENATOR BLAISDELL: Well I didn't believe it then Senator, any more than I believe in the cost of auctioneering should be legislated either.

SENATOR ST. JEAN: Would you believe, Senator, that we in good faith voted for tort reform in hopes of getting some rates to come down in this state?

SENATOR BLAISDELL: You've got availability, there is available insurance, you don't hear that from the people, but at least we have that now.

SENATOR ST. JEAN: Would you believe, Senator, anybody looking at their insurance bill these days, would say sure there is availability, but most people in this state can't afford good quality insurance coverage at this point, Senator.

SENATOR BLAISDELL: The cost of anything, cost of doing business, goes up just like it does in the auctioneering business or in the sporting goods business. So, I think it's legitimate to have people make a profit in any business.

SENATOR ROBERGE: Senator Bass, didn't this Senate, in their wisdom, in the last legislative session, defeat this type of issue and it really shouldn't be coming back to us so soon?

SENATOR BASS: Senator Roberge, having not been here in the last session, I cannot respond to that. However, I think the record will show that the Senate did indeed kill this bill. Perhaps we have an opportunity to change that now.

Question: Ought to Pass.

Senator McLane requested division vote:

8 Yeas

13 Nays

1 Rule 42

Senator Hough voted Rule 42

Motion failed.

Senator Podles moved to substitute Inexpedient to Legislate.
Adopted.

HB 498, relative to publication of information on certain juvenile offenders. Ought to Pass with Amendment. Senator Podles for the Committee.

SENATOR PODLES: HB 498 would allow publication or broadcast of the name and the address of any juvenile offender who is at least 14 years of age adjudicated of a second or subsequent offense for the possession, with intent, to distribute any controlled drug. It also allows publication of the offender's parent or guardian. There is already an RSA that permits the names of juveniles adjudicated of vandalism to be published. The committee felt that drug pushing was a far more serious crime and that parents of other children should have a right to a warning if there is a drug pusher in the area. The committee recommends ought to pass with amendment.

AMENDMENT TO HB 498

Amend RSA 169-B:46 as inserted by section 1 of the bill by replacing it with the following:

169-B:46 Publication Permitted. Notwithstanding the provisions of RSA 169-B:36 and 169-B:37, there shall be no restriction on the publishing or broadcasting of the name or address of any child found to have committed vandalism under RSA 169-B:45, **or any child who is adjudicated to have committed a second or subsequent offense for the possession with intent to distribute any controlled drug,**

as defined in RSA 318-B:1 VI, and who is at least 12 years of age at the time of such offense, or the name or address of his parent or guardian.

AMENDED ANALYSIS

This bill allows the publication of the names or addresses of juveniles adjudicated to have committed a second or subsequent offense for possession with intent to distribute any controlled drug who are at least 12 years old at the time of such offense.

Amendment adopted. Ordered to Third Reading.

HB 584, relative to bad checks. Recommit to Committee. Senator Podles for the Committee.

SENATOR PODLES: HB 584 reduces the penalty for issuing a bad check in the amount of \$500 or less from a misdemeanor to a violation. This bill was a request by the Police Chiefs of New Hampshire. By reducing the penalty it puts a relatively complex process into a simplified form. It would eliminate the benefit of a court appointed counsel, which can drag on and be very expensive. It also enables the process to be brought before a judge and the only element the police or the prosecution have to prove is the fact that it was done and that they intended to do it. The violation does not give the individual a criminal record because it would not be a crime.

Adopted.

HB 651-FN, relative to adoption fees and information about birthparents. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: The committee urges the Senate to adopt its report of ought to pass as amended. Basically, all this bill does is to put into statute the requirement that certain information be provided for the record by the real parents so that there could be some information available to the adoptive parents which may relate to the health of the adopted child.

The amendment basically changes the word 'shall' to 'may', on the issue of ethnic and religious background and it eliminates the word 'socio-economic'. It was felt by the committee that socio-economic information was not really necessary, but religious and ethnic background might be, if it was available, of some import. We urge the Senate adopt the committee report of ought to pass as amended.

SENATOR JOHNSON: Senator Bass, is the passage of HB 651-FN going to do anything to facilitate adoption procedures in the State of New Hampshire?

SENATOR BASS: Not that I'm aware of, Senator Johnson. The primary reason for this particular change is to assure that the welfare of the child is adequately addressed, because it is important in many instances for the adoptive parents to have certain information which relates to the medical history and medical problems that an adoptive child may have and, other information that will avoid a lot of costly research and court time in trying to get that information if it's required at a later date.

SENATOR JOHNSON: Senator Bass, what about the situations where such things as paternity are unknown? In other words, isn't it true that a lot of parental information is going to be not available and so does this bill only address the situations where parents are known?

SENATOR BASS: That's right.

AMENDMENT TO HB 651-FN

Amend RSA 170-B:15, III-b as inserted by section 1 of the bill by replacing it with the following:

III-b. Before a final decree of adoption is issued in the adoption of a child not related, as provided under RSA 170-B:2, XI, to the petitioner or one of the petitioners, the attorney for the petitioners, or the petitioners if they are not represented by an attorney, shall file with the court information on the age and medical and personal backgrounds of the birthparents and the child. Such personal information may include but not be limited to ethnic and religious background, as is reasonably known. The information shall be filed on a form approved of by the court, and shall include information that is reasonably available to the attorney or petitioners.

Amendment adopted. Referred to Finance (Rule #24)

HB 64-FN, relative to immunizing cats against rabies and licensing cats. Inexpedient to Legislate. Senator Johnson for the Committee.

SENATOR JOHNSON: This is a bill that has to do with immunizing cats against rabies and also to provide for licensing of cats. The state veterinarian made the point that if an outbreak of rabies did occur a system was in place that would address the rabies issue there. Other testimony that was received indicated that the licensing of cats

would be a very difficult problem and to control in any particular way. So, in summary, the Public Affairs committee clawed their way through this bill and decided to scratch it.

SENATOR BASS: Senator Johnson, is it not true that the committee felt that the pursuit of purrfection (sic) on this bill was due?

SENATOR JOHNSON: Yes, that's true.

Adopted.

HB 189-FN, increasing the minimum wage law. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: In my long distinguished defense of labor, it's a pleasure to report ought to pass on an increase in the minimum wage. The testimony was that it wouldn't make much difference.

Adopted. Ordered to Third Reading.

HB 373-FN, relative to the use of automatic telephone dialing systems. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 373 is an attempt to establish some controls over the solicitation by the automatic telephone dialing systems. The people that wish to do this would now be required to register with the Consumer Protection Division of the Attorney General. There was no opposition to this bill.

The amendment simply clarifies an ambiguous sentence within the body of HB 373.

SENATOR DISNARD: Senator Johnson, how would this effect people calling us or bothering us from out-of-state?

SENATOR JOHNSON: It probably wouldn't have any effect at all, Senator Disnard. That's why we should have passed SB 143 a couple of weeks ago.

AMENDMENT TO HB 373-FN

Amend RSA 359-E:2, I as inserted by section 1 of the bill by replacing it with the following:

359-E:2 Registration.

I. Any person intending to use an automatic telephone dialing system for solicitation in this state shall, at least 10 business days prior to using the system, register with the consumer protection

and antitrust bureau of the department of justice the information required by RSA 359-E:3, and, if the registrant is a solicitor, as that term is used in RSA 7:28-c, the information required by RSA 7:28-c. At the time of filing, the registrant shall also pay to the department an annual non-proratable administrative fee of \$20 for the calendar year.

Amendment adopted. Ordered to Third Reading.

HB 476, relative to holding special meetings concerning emergency expenditures for towns, village districts, and school districts. Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill basically requires that towns notify DRA before they hold a special meeting. It is really technical in nature because the Department of Revenue Administration is responsible for establishing and approving tax rates in the towns and they like to know when the towns are going to approve emergency or other types of expenditures in special meetings before they read about them in the newspapers a few days later. So, this basically gives the DRA some predictability in being able to manage this tax setting procedure.

The amendment is a technical change. The House amendment was repetitive and we just eliminated a paragraph that was already in the original bill that didn't need to be amended. We urge the Senate support the committee's report.

AMENDMENT TO HB 476

Amend RSA 52:4, II as inserted by section 2 of the bill by replacing it with the following:

II. Ten days prior to petitioning the superior court, the district commissioners shall notify, by certified mail, the commissioner of the department of revenue administration that an emergency exists by providing him with a copy of the explanation of the emergency, the warrant article or articles and the petition to be submitted to the superior court. The petition to the superior court shall include a certification that the commissioner of the department of revenue administration has been notified pursuant to this paragraph.

Amend RSA 197:3, II as inserted by section 3 of the bill by replacing it with the following:

II. Ten days prior to petitioning the superior court, the school board shall notify, by certified mail, the commissioner of the de-

partment of revenue administration that an emergency exists by providing him with a copy of the explanation of the emergency, the warrant article or articles and the petition to be submitted to the superior court. The petition to the superior court shall include a certification that the commissioner of the department of revenue administration has been notified pursuant to this paragraph.

AMENDED ANALYSIS

This bill requires towns, village districts, and school districts to notify the commissioner of the department of revenue administration before petitioning the superior court for permission to hold a special town meeting concerning emergency expenditures.

In each case, the bill also requires the petition to include certification that the commissioner has been properly notified of such petition.

Amendment adopted. Ordered to Third Reading.

HB 489, relative to utility easements. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 489 has to do with utility easements and more specifically it has to do with utility easements that existed in a private way which later on become a legal public way and the bill simply legalizes the switch from a private way utility easement to a utility in regard to the public way. The utility would submit a copy of their work plans to the municipality for recording purposes.

Adopted. Ordered to Third Reading.

HB 537-FN, authorizing the town of North Hampton to collect taxes for one 18-month accounting period. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 537 is enabling legislation for the town of North Hampton. The purpose of the bill is to facilitate the town's change to the optional fiscal year end of June 30th. For a town to change its year, it is necessary to run through a single 18-month year. The method is structured similar to what the town of Portsmouth did in 1971 and involves dividing the tax bill for the 18-month period into three payments. I urge its adoption.

Adopted. Ordered to Third Reading.

HCR 2, declaring a New Hampshire Scottish Heritage Week. Ought to Pass. Senator King for the Committee.

SENATOR KING: HCR 2 designates September 11th through the 17th as Scottish Heritage Week as a tribute to New Hampshire citizens of Scottish ancestry. You may or may not know that during that period of time, at Loon Mountain, in my district, the largest Scottish gathering in New England takes place and it's called the New Hampshire Highland Games. So, the committee urges that you adopt the resolution.

SENATOR HOUGH: I would, with a degree of trepidation, vote to support this but I would hope that this would not be a bill that we would have to reconsider under a veto from his excellency, the Governor. I was very supportive of establishing the Franco-American exchange commission in the early 70's and certainly if we can support this bill, I would hope that we could find our chief executive looking favorably on the ancient order of Tybernia.

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Dupont in the Chair.

HB 209-FN, establishing a committee to study the accessibility of nursing home care. Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: HB 209 establishes a committee to study the accessibility of nursing home care. The amendment merely makes the members of the Senate, which are appointed, appointed at large and not from specific committees. The bill is addressed at what has been a continuing problem in the state and that is access to nursing home care. At the present time, nursing homes have two kinds of patients. They have medicaid patients and they have self payers. The medicaid costs that nursing homes are paid don't cover their costs so they have to have a very delicate balance of patients so that the self payers make up the difference between what actual costs are and what medicaid pays them. The feeling is this works at a great disadvantage to medicaid patients who now are put on a list and have to wait their turn because the self payers are taken first. The committee believes that setting up this study committee and letting everyone who's involved sit around and try and come up with a better solution will certainly improve health care in the state and I urge its adoption.

AMENDMENT TO HB 209-FN

Amend paragraph II of section 1 of the bill by replacing it with the following:

II. Two members of the senate, appointed by the president, or their designees.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 632, relative to the confidentiality of quality assurance records of community mental health centers. Interim Study. Senator Bond for the Committee.

SENATOR BOND: The bill is in question because there is a court case dealing with the same issue concerning hospital records. Until that court finding comes down we have to pass it on until the next session.

Adopted.

HB 270-FN-A, relative to motorcycle safety, establishing a motorcycle rider safety fund, and making a continual appropriation therefor. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: This establishes a voluntary motorcycle safety program that we hope will be a demonstration and perhaps someday might be mandated if it shows good results and it will be paid for entirely out of motorcyclist licensing fees. We urge your support.

Adopted. Referred to Finance (Rule #24).

ENROLLED BILLS REPORT

HB 163, concerning certain labor laws.

HB 176, requiring certificates of title for vehicles owned by the state and political subdivisions.

HB 201, relative to protective custody of abused or neglected animals.

HB 285, relative to liens on real property for hazardous waste cleanup costs.

HB 408, relative to a study of the highways in Sullivan and Cheshire Counties.

HB 51, relative to a vehicle width on certain highways.

HB 119, making technical changes in certain revenue statutes for the department of revenue administration.

HB 223, relative to investment of state funds in corporations doing business in Northern Ireland.

HB 320, relative to the penalty for overdue payments under the interest and dividends tax.

HB 325, relative to disciplinary actions against veterinarians.

HB 338, relative to the authority of the Hillsborough county convention to employ a delegation coordinator.

HB 389, enabling cities and towns to increase the veterans' exemption and the property tax exemption on residential property for a service-connected total disability.

HB 402, relative to the state archivist.

HB 456, changing the due date for county taxes.

HB 460, relative to notice that tax payments may be due under the interest and dividends tax.

HB 472, relative to appeals to the zoning board of adjustment.

HB 473, relative to building codes in municipalities.

HB 484, relative to checkout procedures after votes are cast.

HB 554, relative to the advisory council on the sale and fitting of hearing aids.

HB 617, relative to the public utilities commission appointing a receiver for a public water utility.

HB 625, permitting a county to impose a lien on real and personal property for nonreimbursement of certain court-ordered expenses.

HB 655, to permit a credit or cash refund for overpayment of taxes or other changes owed by an insurer.

HB 15, repealing certain laws relative to measuring wood.

HB 71, relative to the department of education.

HB 134, relative to the deaf and hard of hearing.

HB 159, repealing certain railroad bridge requirements.

HB 182, reclassifying certain highways in the towns of Carroll and Belmont.

HB 197, to reclassify portions of certain highways in the town of Seabrook.

HB 247, relative to the transfer of funds for turnpikes from the general reserve account.

HB 272, relative to Pike's school in Haverhill, New Hampshire.

HB 494, relative to the transition period for a new state treasurer and a new secretary of state.

ANNOUNCEMENTS

A RESOLUTION

HONORING RICHARD M. FLYNN

FOR FORTY YEARS OF SERVICE IN LAW ENFORCEMENT

WHEREAS, a resolution is a means whereby the Senate and the House of Representatives of the State of New Hampshire may honor those individuals who have made outstanding contributions to the Granite State, and

WHEREAS, Richard M. Flynn joined the Dover Police Department in 1949 as a patrolman, becoming Chief of that department in 1959, and

WHEREAS, in 1972, then Governor Walter Peterson appointed Mr. Flynn as the Commissioner of Safety, a post that he has been reappointed to by three other governors, and one that he holds to this day, and

WHEREAS, he has been the president of numerous police organizations, most notably the New Hampshire Police Officers Association, the New Hampshire Chiefs of Police Association and the New England Chiefs of Police Association, and

WHEREAS, in addition to these organizations, he is an International Past President of the American Association of Motor Vehicle Administrators, as well as an Executive Board Member of this association, and

WHEREAS, in 1985 the United States Secretary of Transportation, recognizing his expertise, asked Commissioner Flynn to serve on the National Boating Safety Advisory Council, and

WHEREAS, he has represented the State of New Hampshire well in all of his activities, and has run an efficient and responsive Department of Safety, NOW THEREFORE

BE IT RESOLVED, that the General Court of the State of New Hampshire does hereby thank Richard M. Flynn for his forty years of service in the law enforcement profession, and specifically in his role as Commissioner of Safety for the past seventeen years.

Signed:

William S. Bartlett, Jr.
President of the Senate

W. Douglas Scamman, Jr.
Speaker of the House

HOUSE MESSAGE

HOUSE NONCONCURS WITH SENATE AMENDMENT
REQUESTS COMMITTEE OF CONFERENCE

HB 762, making supplemental appropriations for fiscal year 1989.

The Speaker appointed Reps. Palumbo, Hager, Gross, Sytek, and Densmore

Senator Blaisdell moved to accede to the House request for a committee of conference.

Adopted.

The Senate President appointed Senators Blaisdell, Hough, and Dupont. Alternates appointed were Senators Torr and Podles.

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage, all titles be the same as adopted, and that they be passed at the present time.

Adopted.

Third Reading and Final Passage

HB 241-FN, relative to purchasing airports, establishing airport districts, authorizing airport property tax base sharing agreements, and clarifying certain statutes relative to aeronautics.

HB 292-FN, extending the study and evaluation of state Route 101 A corridor in the Nashua region.

HB 384-FN, establishing a task force to review the recommendations of the Manchester airport and Highway study.

HB 46, relative to applications for approval of plans for a waste disposal system which contain encroachment waiver requests.

HB 130-FN, requiring certification of operators of pollution control facilities and relative to renewals of water works operator certificates.

HB 132-FN, relative to the division of water supply and pollution control enforcement orders.

HB 151-FN-A, continually appropriating revenue from certain OHRV fines.

HB 154, limiting the horsepower of motors on Upper Kimball Pond in the town of Chatham.

HB 207, prohibiting the use and operation of petroleum-powered boats on Waukeena Lake in the Town of Danbury.

HB 222, limiting horsepower of motors on Indian Pond in the Town of Orford.

HB 254-FN, establishing a study committee to examine issues relative to the great ponds in the White Mountain National Forest, access to public waters, and control and maintenance of public boat ramp sites.

HB 302-FN, relative to the setting of the deer season.

HB 206, prohibiting the use and operation of petroleum-powered boats on Bradley Lake in the Town of Andover.

HB 70-A, establishing a study committee to examine the vocational education system.

HB 138-FN, providing for a supported employment program and for an independent living program.

HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts.

HB 565, relative to the state board of education.

HCR 5, encouraging businesses and industries in New Hampshire to offer "good student" discounts.

HB 244-FN, allowing museums to obtain title to property loaned for an indefinite time.

HB 497, relative to financial responsibility for hazardous materials accidents.

HB 267, relative to vicious dogs.

HB 288-FN, relative to penalties for aggravated DWI and for negligent homicide.

HB 498, relative to publication of information on certain juvenile offenders.

HB 189-FN, increasing the minimum wage law.

HB 373-FN, relative to the use of automatic telephone dialing systems.

HB 476, relative to holding special meetings concerning emergency expenditures for towns, village districts, and school districts.

HB 489, relative to utility easements.

HB 537-FN, authorizing the town of North Hampton to collect taxes for one 18-month accounting period.

HCR 2, declaring a New Hampshire Scottish Heritage Week.

HB 209-FN, establishing a committee to study the accessibility of nursing home care.

Senator Dupont moved that the Senate be in recess until Thursday, April 13, 1989 at 1:00 p.m. for the sole purpose of introducing legislation, referring bills to committee, and scheduling hearings.

Adopted.

Recess.

Wednesday, April 12, 1989

Out of Recess.

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 32-A through 622-FN shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 32-A, relative to the Hampton seawall and making an appropriation therefor. (Capital Budget)

HB 39, relative to the distribution of OHRV fees. (Transportation)

HB 82-FN, relative to the police standards and training council. (Internal Affairs)

HB 84-FN, relative to employees of political subdivisions purchasing creditable service in the New Hampshire retirement system. (Insurance)

HB 94-FN, relative to pre-admission screening for nursing homes. (Public Institutions, Health and Human Services)

HB 104-FN, relative to common and contract carriers. (Transportation)

HB 127-FN, increasing fees for laboratory services. (Finance)

HB 210-FN-A, relative to improvements in fire protection for the state house, phase II and III. (Capital Budget)

HB 226-A, relative to state-issued bonds for college tuition. (Education)

HB 271-FN, relative to fish and game license fees. (Development, Recreation and Environment)

HB 279-FN-A, relative to the purchase of the Ralph Brown property in Rye and making an appropriation therefor. (Development, Recreation and Environment)

HB 354-FN-A, making an appropriation to fund improvements in Cardigan State Park. (Capital Budget)

HB 371-FN-A, relative to licensing respiratory care practitioners and making an appropriation therefor. (Executive Departments)

HB 376-FN, licensing physician assistants. (Executive Departments)

HB 396-FN, relative to the board of examiners of nursing home administrators and to licensing nursing home administrators. (Public Institution, Health and Human Services)

HB 397-FN, relative to composition of the dental board. (Internal Affairs)

HB 574-FN, relative to licensure of mental health professionals. (Executive Departments)

HB 579-FN, permitting certain policemen and firemen to join the New Hampshire retirement system. (Insurance)

HB 595-FN, to permit teachers who relocate to New Hampshire to purchase their out-of-state service as creditable service in the New Hampshire retirement system. (Insurance)

HB 622-FN, relative to vested deferred retirement benefits for group I members. (Insurance)

Recess

Out of Recess

Thursday, April 13, 1989

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, April 13, 1989.

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Thursday, April 13, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Roberge in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, help us as we face once again the Budget. Money, money, who has the money? The same as the abortion bill - who is right? It reminds me of the question - which came first, the chicken or the egg? Who knows?

Amen

Senator Bond led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGES

HOUSE REFUSES TO CONCUR

SB 1-FN-A, making an appropriation to the liquor commission for air conditioning.

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 148-FN, relative to relocation assistance and real property acquisition.

HB 523, relative to a privilege for confidential communications between guardian ad litem and child.

HB 729-FN, requiring labeling of solid and hazardous waste collection containers.

HOUSE CONCURS

SB 6, extending the statute of limitations for certain fish and game offenses.

SB 17, allowing the wetlands board authority to issue cessation orders pending a hearing.

SB 48-FN, authorizing the sale of a certain parcel of state land to a water district.

SB 151-A, directing the commissioner of the department of transportation to complete New Hampshire Route 101.

SB 161, authorizing regional agreements for water resources management and protection plans.

SB 181, making technical changes in certain laws relating to dams.

SB 199, relative to the revocation or suspension of fish and game licenses.

SCR 3, establishing a national veterans' cemetery in New England.

COMMITTEE REPORTS

HB 323, relative to payment of costs of bank examinations. Ought to Pass with Amendment. Senator Dupont for the Committee.

(tape inaudible)

AMENDMENT TO HB 323

Amend the title of the bill by replacing it with the following:

AN ACT

relative to bank examinations and mutual holding
company conversions.

Amend the bill by replacing all after section 1 with the following:

2 New Paragraph; Mutual Holding Company Conversion. Amend RSA 386-B:8 by inserting after paragraph IV the following new paragraph:

V. A mutual holding company may convert from mutual to stock form in the same manner; to the same extent and with comparable limitations as mutual savings banks are permitted to convert under the laws of this state.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

The bill requires financial institutions to pay the costs of examinations by the bank commissioner within 60 days of receipt of notice of charges due. Current law requires payment within 30 days.

The bill also permits a mutual holding company to convert from mutual to stock form in the same manner and to the same extent as mutual savings banks are permitted to convert.

Amendment adopted. Ordered to Third Reading.

HB 131-FN, relative to protective well radii for private water wells. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: HB 131 requires the Division of Water Supply and Pollution Control to adopt rules establishing protective well radii for private water wells, to confine wells and their protective radii to the lot which the well serves in new developments. This is to prevent sewage from entering new well fields. The location of the wells shall be included on plans submitted for sewage disposal permits. The bill also provides for commercial and noncommercial standards in variances for the installation of septic systems. The water well contractor shall consult with landowners, put changes in the placement of wells after the plans have been approved, and provides for negotiation between abutting property owners. The bill was requested by the Division of Water Supply.

Adopted. Ordered to Third Reading.

HB 661-FN, relative to notification to downstream municipalities concerning effluent discharge. Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: This bill was described to us very simply as a good neighbor bill. It requires DES to notify downstream communities whenever there's a permit applied for for a withdrawal of water or for a significant discharge. It would go to communities 25 miles down the river because that is the typical standard measure in terms of embankments. At the present time, there is no notification of these communities, so they don't always find out that either there is going to be a withdrawal or discharge or an application until it's too late to have any input. This would provide that and I urge its adoption.

SENATOR BASS: Senator Krasker, is it also your impression that this bill was also designed to apply to notification of towns or cities that are outside the State of New Hampshire, if a pollution incident occur?

SENATOR KRASKER: It could do that.

Adopted. Referred to Finance (Rule #24).

HCR 3, resolution petitioning the United States Congress for a national recycling policy. Ought to Pass. Senator Bond for the Committee.

SENATOR BOND: House Concurrent Resolution petitions the President of the United States and the Congress to establish national recycling policy guidelines. This is in accord with the previous legislation we've dealt with in this body. The House and the Governor also support this. We urge your support of HCR 3.

Adopted. Ordered to Third Reading.

TAKEN FROM THE TABLE

Senator Johnson moved to take HB 135-FN off the table.
Adopted.

HB 135-FN, relative to school administration. Ought to Pass with Amendment. Senator Disnard for the Committee.

SENATOR DISNARD: HB 135 was unanimously passed by the House Education committee. It's mostly a housekeeping bill to bring into compliance present laws with federal laws and it eliminates some of the laws, statutes that have been discarded. It's just a housekeeping bill.

AMENDMENT TO HB 135-FN

Amend paragraph II of section 2 of the bill by replacing it with the following:

II. RSA 186:39-40, relative to accepting acts of Congress promoting vocational education and to administration of such acts within the state.

AMENDED ANALYSIS

This bill changes various provisions of laws relative to education, including specifically including the area of vocational rehabilitation within the rulemaking authority of the board of education necessary for establishing compliance with federal law. The bill also sets the state's share of superintendent salaries at \$10,000 per year.

The bill repeals laws relative to national defense education aid, the board of nurse examiners, the higher education loan program, and funding of education programs. The bill also repeals certain laws relative to vocational education.

The bill was requested by the department of education.
Amendment adopted.

Senator Johnson offered a floor amendment.

SENATOR JOHNSON: I rise to offer a floor amendment to HB 135-FN. It should be distributed on your desks right now. The amendment has to do with the School Administrative Unit, the so-called SAU's, and there are two parts to this floor amendment.

The first part clarifies the professional organization requirements of an SAU. There is some ambiguity to the existing statute in that regard. This amendment would make it clear that the minimum professional requirement for a SAU would be a superintendent and then as deemed necessary by a SAU board, they could then proceed to appoint business administrators, assistant superintendents or teacher-consultants.

The second part of this amendment has to do with the method by which an SAU budget is adopted. As of now, a preliminary budget is presented to the SAU board. They have the minimum requirement of advertising a public hearing for the purpose of considering the SAU budget. In my own district, there are four towns and I have yet to ever notice where an SAU budget hearing was indeed held. Not to say that they weren't held, I'm sure they were. But this amendment would require each constituent school district of the SAU to hold, in

their own local district, a hearing on the SAU budget. I think this will give citizens a much better opportunity than they have right now to be aware of, understand, and address their concerns in regard to SAU budgets. I've discussed this with Senator Disnard, who may wish to add his own comments, Senator Bond, Senator Heath, and several other people, and urge that you adopt this floor amendment.

SENATOR DISNARD: I wish to rise in support of this bill, as I understand it. I'm being redundant. As I understand it, presently many districts will comprise an SAU. The SAU, by law, must hold a hearing. Once the SAU board votes on a budget, it is mandatory on the school districts. The school districts have no control in a district or a council meeting or rate budgets, once they're passed, by the supervisory unit. Now, it's my understanding, the Senator Johnson amendment is not to penalize or hinder or hold back an SAU from developing its budget. As I understand, this portion of the bill only indicates that a school board, in its own community, must hold a hearing on the proposed SAU budget. If you were ever a member of an SAU board, that notice must be posted. If you have two people come to a hearing, you're lucky! Some may say if they don't come then that's their fault. But a lot of them feel they aren't aware of it. This only allows a community to be more aware of what the SAU budget proposals are.

Now the other part of the bill, as I understand it, is that a school district would not be forced to hire assistant superintendents or business managers unless they so approve. Now, as I understand Senator Johnson's amendment, presently there are many school supervisory units being broken up, separated. In two or three instances, there's a district which just has elementary schools, no secondary schools, just elementary schools. I don't see any problem if that district decides, because they have full time principals, they have full time special education people, that they only need one superintendent to carry on their business. With that, I have no problem.

SENATOR NELSON: Senator Johnson, I want to know what , on page two of the amendment, where you're repealing 189-147:A; what exactly, and I need to better understand this to make a vote, what exactly are you doing? I have the other language here and I was trying to read it. What exactly is going to happen?

SENATOR JOHNSON: Senator Nelson, as we speak a SAU board simply publishes a notice that they are going to have a hearing on the SAU board. They can decided to hold that hearing any place

within their constituent SAU. The amendment would now require each local school district board to conduct a hearing on the SAU budget. That's what the change would be, Senator Nelson.

SENATOR NELSON: What would that do though, in terms of the whole? Because there are different towns and different times now, what does that do to the whole?

SENATOR JOHNSON: What it does to the whole is make a better informed whole. It would allow people like me to, in advance, or have a better chance at expressing my concern and seeking to understand a given SAU budget. Had I known that an SAU budget hearing was going to be taking place, I certainly would have been there. And, had I known that they were going to come up with \$465,000 budget, sitting on top of four elementary schools, I would have probably done something about that.

SENATOR NELSON: I noticed that you have seven days. Do you think seven days is enough, just to put it in the paper one time only, a week before, Senator?

SENATOR JOHNSON: I think that's the current law, Senator Nelson.

SENATOR FREESE: I was out of the room while Senator Johnson was explaining the floor amendment so this may be redundant, but I'm interested in knowing whether this amendment provides for the local community, who's a member of that SAU, to have that hearing previous to the SAU hearing? I think that would be important and I haven't read the bill so I'm asking for information.

SENATOR DISNARD: It's my understanding, yes. Also, it's my understanding that districts could not veto or cut out any money in the SAU budget after the hearing. There would only be a hearing to inform the voters, in each of the communities, what the SAU budget is comprised of. They have no control over that budget, only through their members of the SAU board.

SENATOR FREESE: Would you believe Senator, that I understand what you've explained, but I still feel that it's important for them to have that hearing ahead of the SAU meeting, in case there's information that could be imparted to the representative from the community that may be a member of the SAU.

SENATOR DISNARD: Perhaps the last sentence on page 3 may handle that. "A budget subsequent to its final approval by the school administrative unit board shall be posted in a public place and given

such", but it doesn't say or the hearing. That may be something that should be clarified to make sure they have to do that.

SENATOR BOND: I rise in support of Senator Johnson's proposed amendment. It is important that the State Board of Education certify the head of the SAU operation. It is unnecessary for them to be involved in the certification of subordinate positions in the SAU. The question of public hearings is important because, as it stands right now in a multi-district SAU, the board and its expenses are, practically speaking, insulated from public visibility. This would give SAU budgets the visibility that they should have.

SENATOR NELSON: Senator Bond, given this amendment, and I do not have an SAU in my district, is this the best thing, is this going to help public education in the State of New Hampshire by adding this level of public hearing? In fact, will we have a better system?

SENATOR BOND: You will have a better informed public.

SENATOR NELSON: Rather than an impact on education?

SENATOR BOND: I would hope that it will impact positively on education, too.

SENATOR NELSON: Every town now will go in and give their remarks only on the preliminary budget hearing, as this says, so that if there is a final budget hearing, the final budget hearing would be held where? Because, this specifically says preliminary.

SENATOR BOND: This is before the final budget is adopted by the SAU board. The SAU board is generally made up of representatives of the district boards that comprise the SAU. So, they will have the final say, but they will be in a position where they have to have input from the public and explain to the public before they put together that final budget.

SENATOR NELSON: So, Senator Bond, in essence, this would help the SAU in the final process to make a better decision because everyone in each town would have had a chance to give their opinion.

SENATOR BOND: I would expect that it would.

Floor Amendment to HB 135-FN

Amend the bill by replacing section 3 with the following:

3 Optional Appointment. Amend RSA 189:43, II to read as follows:

II. The school board of each school administrative unit shall appoint a superintendent and, upon nomination by the superintendent

of schools[,] **and if deemed necessary by the school administrative unit board, may** appoint one or more assistant superintendents, teacher consultants, [and] **or** business administrators.

4 School Administrative Unit Budget Subject to Constituent School Districts' Public Hearings. Amend RSA 189:47 to read as follows:

189:47 Budget. At a meeting held before January 1 of each year, the school administrative unit board shall adopt, **subject to the provisions of RSA 189:47-a**, a budget required for the expenses of the school administrative unit for the next fiscal year, which budget may include the salary and expenses of supervisors of health, physical education, music, art, and guidance, and any other employees, and shall include the expenses necessary for the operation of the school administrative unit. Superintendents, assistant superintendents, business administrators, teacher consultants, and the regularly employed office personnel of the school administrative unit office shall be deemed employees of the school administrative unit in so far as payment of salaries and contributions to the employee's retirement system of the state of New Hampshire and workmen's compensation are concerned. The school administrative unit board shall apportion the total amount of the budget among the constituent school districts in the following manner. The basis for the apportionment shall be 1/2 on the average membership in attendance for the previous school year and 1/2 on the most recently available equalized valuation of each district as of June 30 of the preceding school year. Prior to January 15 in each year, the board shall certify to the chairman of the school board of each constituent school district the amount so apportioned. Each district within a school administrative unit shall raise at the next annual district meeting the sum of money apportioned to it by the school administrative unit board for the expenses of services which each district received in connection with the school administrative unit office. The provisions of this section relative to apportionment of expenses shall not apply to the school administrative units comprising only one district. The school administrative unit board in adopting the budget shall not add any new service to the school administrative unit budget unless a majority of the school districts in the school administrative unit representing not less than 60 percent of the total pupils in the school administrative unit have voted favorably upon the establishment of the service. A vote to accept a new service shall not be construed as a vote to raise and appropriate money within the meaning of RSA 197:3.

5 School Administrative Unit Budget; Public Hearings; School Districts. RSA 189:47-a is repealed and reenacted to read as follows:

189:47-a Public Hearings; School Districts. Before final adoption of the school administrative unit budget as provided in RSA 189:47,

there shall be held before December 1 of each year within each of the constituent school districts of the school administrative unit, at a time and place specified by the school boards of each such district, at least one public hearing upon the preliminary budget prepared by the school administrative unit board. Notice of such public hearing within each school district and a summary of the preliminary budget prepared by the school administrative unit board shall be submitted by the school board of each constituent school district for publication in a newspaper of general circulation in each school district at least 7 days prior to the date of such hearing. The budget, subsequent to its final approval by the school administrative unit board, shall be posted in a public place in each constituent school district and given such other publication as the school administrative unit board may determine.

6 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill changes various provisions of laws relative to education, including specifically including the area of vocational rehabilitation within the rulemaking authority of the board of education necessary for establishing compliance with federal law.

The bill repeals laws relative to national defense education aid, vocational education, the board of nurse examiners, the higher education loan program, and funding of education programs.

The bill also makes optional the appointment of assistant superintendents, teacher consultants, or business administrators, and any combination thereof, by the school board of each school administrative unit upon the nomination of the superintendent of schools and with the approval of the school administrative unit board.

The bill requires that prior to final adoption of a school administrative unit budget, each constituent school district of the school administrative unit hold at least one public hearing on the preliminary budget before December 1 of each year.

Floor Amendment adopted. Referred to Finance (Rule #24)

HB 54, adding a member to the water well board. Ought to Pass. Senator Stephen for the Committee.

SENATOR STEPHEN: All this bill does is add another member to the water well board which is a technical driller. Technical well drillers are people that drill test borings for the foundations of big buildings, for landfill sites, to detect contamination and land that might be used to determine what kind of rock is available. These people

rarely deal with the general public directly. They deal primarily with architects and engineers, and people from the Department of the Environment System. They are regulated by the water well board and have been since the board's conception. They would merely like to have one of their members on the board that regulates them. This had the unanimous approval of the full board and also the committee voted for its passage.

SENATOR NELSON: How many well drillers are there? We're putting a technical well driller on this board, are there a lot of technical drillers in the state and why do we need to have representation from a technical driller?

SENATOR STEPHEN: Why we need a representation, Senator Nelson, on this board is that we have, I believe, six members on this board and there's not a technical driller. What they want is to just add a technical driller who has to be there to drill, I guess, in the water well.

Adopted. Ordered to Third Reading.

HB 77-FN, relative to the pharmacy board. Ought to Pass. Senator Freese for the Committee.

Senator Freese moved to recommit HB 77 to committee.
Adopted.

HB 93, relative to the board of nursing. Ought to Pass with Amendment. Senator Freese for the Committee.

SENATOR FREESE: This proposed legislation was at the request of the Division of Human Services. The reason is that because of federal guidelines regarding the establishment of a registry as the certified nurses assistant. In 1986, the Senate introduced legislation that was passed and it certified nursing assistants. In the old days, we called these people nurses aides. They now have to go through an educational program and become certified. This bill clarifies the language in the current statutes and brings it in with compliance with the practice. The Nursing Home Reform Acts of 1987 now says that a registry must be maintained. In New Hampshire, if it does not comply the state will loose their federal medicaid funding. That will amount to in 1990 approximately 52.7 million dollars and in 1991 that will amount to 54.2 million dollars. So, this is a very important piece of legislation.

What the amendment does, on page 6, is to establish authority for the nursing board to set and collect fees through the administrative

rules process. The committee recommends ought to pass with amendment and we hope that you will support the committee's report.

AMENDMENT TO HB 93-FN

Amend the bill by replacing section 6 with the following:

6 Hearings Procedure. Amend RSA 326-B:13 to read as follows:

326-B:13 Hearings. The board shall take no disciplinary action, except for action for failure to pay a renewal fee, without a hearing. At least 14 days prior to hearing, both parties to a disciplinary proceeding shall be served, either personally or by registered mail, with a written copy of the complaint filed and with **an order of** notice [of] **showing** the time and place for hearing. All complaints shall be objectively received and fairly heard by the board. A hearing shall be [held] **initiated** on [all] written complaints received by the board within 3 months of the [date notice of a complaint was received by the accused,] **order of notice** unless otherwise agreed by the parties. Written notice of all disciplinary decisions made by the board shall be given to both parties to the proceeding upon the issuance of such decisions.

Amend the bill by replacing section 7 with the following:

7 Right of Appeal. Amend RSA 326-B:14 to read as follows:

326-B:14 Right of Appeal. Any person who has been refused a license [for any cause] **by the board or has been disciplined by the board for any reason** other than failure to pass the licensing examination shall have the right to **petition for** a rehearing by the board within 30 days after the original [hearing] **decision**; then, within 30 days after the decision [not to issue the license on a rehearing] **on the petition for a rehearing**, said person may appeal by petition to the superior court. No sanction imposed by the board shall be stayed during appeal.

Amend the bill by replacing all after section 8 with the following:

9 Nursing Assistant Fees. Amend RSA 326-B:11 to read as follows:

326-B:11 Fees Payable. Fees, **other than those collected under RSA 326-B:29**, shall be made payable to the treasurer, state of New Hampshire, and be deposited in the general fund. The board shall recover at least 125 percent of its direct expenses through license fees.

10 Rules Concerning Fees. Amend RSA 326-B:4-a, VII to read as follows:

VII. Establishing all fees required under RSA 326-B:6, IV; RSA 326-B:7, I(e); RSA 326-B:8, II and V; RSA 326-B:10, I(d); [and] RSA 326-B:10, III; and **RSA 326-B:29, I.**

11 New Sections; Nursing Assistants; Fees. Amend RSA 326-B by inserting after section 27 the following new sections:

326-B:28 Nursing Assistant. No person shall practice as a nursing assistant who has not satisfied the provisions of RSA 326-B:4-a, XIII.

326-B:29 Nursing Assistant Fees and Fines; Continual Appropriation.

I. The board shall adopt a schedule of fees, adopted by rule under RSA 541-A, for examination, registration, renewal, recertification, endorsement, and verification of nursing assistants.

II. The board shall establish a schedule of administrative fines to be collected in disciplinary procedures carried out under RSA 326-B:4-a, XIII.

III. The nursing assistant fund is established in the state treasury and continually appropriated to the board of nursing which shall administer the fund. The fund shall be used only for administration of the nursing assistant component and expenses relating to that component.

IV. All fees and fines collected under paragraphs I and II shall be credited to the fund.

12 New Subparagraph; Exemption. Amend RSA 6:12, I by inserting after subparagraph (aa) the following new subparagraph:

(bb) Money received under RSA 326-B:29, which shall be credited to the board of nursing's nursing assistant fund.

13 Board of Nursing; Appointments. Of those members who were appointed to the board of nursing on May 7, 1988, 3 members shall be appointed to additional one year terms at the expiration of their 3 year terms in order to insure sufficient expertise on the board.

14 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill redefines "assistant to nurses" and defines "certified nursing assistant". This bill clarifies provisions relating to board of nursing membership, standards, hearings and appeal procedures.

The bill also establishes a nursing assistant fund which shall be funded through fees relating to nursing assistants and through administrative fines collected in disciplinary procedures relating to nursing assistants. The fund shall be used solely for the administrative costs and related expenses of the nursing assistant component of the board of nursing.

Amendment adopted. Ordered to Third Reading.

HB 531-FN, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places. Ought to Pass. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 531 does essentially two things. It transfers the state authority over the unincorporated places in the state back to the counties. Well, not back to the counties, but to the counties. It also legitimizes certain functions that counties have been performing in regard to the unincorporated places. There was no opposition to this bill. The counties primarily effected are well prepared for it. They testified that they were staffed to handle this. The Department of Education supports the transfer of authority as being in the best interest of the people concerned. The Department of Revenue Administration also supports this bill and the committee recommends passage for HB 531-FN.

Adopted. Ordered to Third Reading.

HB 118-FN, relative to collision damage waiver. ReRefer to Committee. Senator Delahunty for the Committee.

Senator Delahunty moved to substitute recommit.
Adopted.

HB 175, relative to bail commissioner's fees. Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: HB 175 relates to bail commissions in collection of their standard fees. These fees have not been increased since 1981. There were different fees for day and night collections by the bail commissioners. They were seven dollars by day time and twelve dollars at night. This bill calls for a flat fee of \$15 for the bailer in each occasion and also it changes the effective date of the bill to within 60 days; not the January 1, 1990 that has been appearing on a lot of the legislation. I urge your support.

AMENDMENT TO HB 175

Amend the bill by replacing all after the enacting clause with the following:

1 Bail Commissioners' Fees Increased. Amend RSA 597:20 to read as follows:

597:20 Fees. The bail commissioners in such cases shall be entitled to a fee of [\$7 when called between the hours of 9 o'clock in the morning and 5 o'clock at night, Monday through Friday; and a fee of

\$12 when called at any other time] \$15. However, clerks of court or members of their staffs who are bail commissioners shall be entitled to collect such fee only when called while not on active duty. In jurisdictions where the bail commissioner is a full-time salaried police officer, constable, sheriff, deputy sheriff, state police employee, or anyone else authorized to execute police powers, such person shall not receive the fee established in this section, but instead such amount shall be remitted to the town or city in which the municipal or district court is situated.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill allows bail commissioners to collect a standard fee of \$15. Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Johnson in the Chair.

COMMITTEE REPORTS

HB 228, permitting independent voters to vote in a primary and change their registration back to independent on the same day of the primary. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: When this bill came before us there was concern in the committee that it would help eradicate the two party system and make it meaningless. We felt that if you could change your party registration as capriciously as this would allow, as you left the room, then essentially the party system would have no meaning. Those people who did not believe in the broad tenets of the party, whether it's democrat or republican, they really had no business involving themselves in the election of the candidate to represent those parties. We felt it was very inexpedient to legislate.

Adopted.

HB 477, relative to housing standards ordinances. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill allows municipalities which have adopted standardized codes for building repair, closing, demolition, etc., to enforce those ordinances without respect to the existing basic statutes that exist on the books. The first change in the bill is

basically the elimination of a section that is nonexistent. It's more or less a housekeeping bill. The committee urges the Senate to approve the committees recommendation of ought to pass.

Adopted. Ordered to Third Reading.

HB 533-FN, relative to the custody and impoundment of certain dogs. Inexpedient to Legislate. Senator Bass for the Committee.

SENATOR BASS: This is one of three dog bills that this Senate is going to have the honor of taking up in this session. This one here, the committee felt, that this bill was far too expansive. Basically, for example, if Senator Nelson's pekingese were to get out from her front yard and she were unable to catch it as it scampered down the street, she might be subject to a fine of instead of \$25 to \$250. We felt that the intention of the sponsors was laudable, the effect of the bill would be that you would have to nail your dog's feet to the floor, 365 days of the year. We urge the Senate to adopt the committee's report of inexpedient to legislate.

SENATOR BOND: As a co-sponsor of this bill, I know when I have been licked.

Adopted.

HB 534-FN, relative to bottled water. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: We found that there was no need for legislation in this area. There has been no demonstrated harm done and so we found it inexpedient to legislate.

SENATOR NELSON: I just wondered for what purpose did they put the bill in and was there a lot of support for this piece of legislation?

SENATOR HEATH: There were some supporters, but there always is when there is an expansion of bureaucracy but I didn't see any public support for it.

Adopted.

HB 657-FN, excepting certain landfills and other waste facilities from local junk yard regulation. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This bill takes care of ash landfills; it was put in for the New Hampshire-Vermont solid waste project. It allows those junk yards that are regulated by the state to be exempted from town permitting.

Adopted. Ordered to Third Reading.

HB 691-FN, relative to recording of ancient plats. Ought to Pass. Senator McLane for the Committee.

SENATOR MCLANE: This bill was put in at the request of the Land Surveyors Association and I would challenge any one of you to figure out what the term ancient means. It is anything over thirty years old. The best thing about this bill is it is going to save money for the general public because they will not have to go back into their deeds and get a registered land surveyor's seal. And I will point out again that the land surveyors did support it.

Adopted. Ordered to Third Reading.

HB 40, relative to intrastate motor carriers. Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: HB 40 requires all drivers of commercial vehicles within the state of New Hampshire to meet the federal guidelines relative to written tests and a medical examination for commercial drivers. Under certain circumstances, according to the amendment to the bill, the Commissioner of Safety may waive specific portions off the medical examination requirement, but not the entire medical examination. Committee urges its passage.

AMENDMENT TO HB 40

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Motor Carriers. Amend RSA 266:72-a by inserting after paragraph II the following new paragraph:

III. The drivers of all vehicles subject to the motor carrier rules who operate exclusively in intrastate commerce shall be subject to the medical examination, written tests, and road tests required by 49 C.F.R. sections 391.31-391.49, as amended, provided, however, that the commissioner may waive specific requirements or standards of the medical examination for any such driver who has a valid commercial driver's license issued by this state on or after January 1, 1990, if it would not jeopardize public safety to grant such a waiver. The commissioner may adopt rules pursuant to RSA 541-A

relative to standards for the granting of such waivers. The department shall make interested parties aware of the provisions of this paragraph. Once a waiver is granted under this paragraph, the waiver shall be placed on the medical examination card required by federal regulation.

AMENDED ANALYSIS

This bill requires all drivers of vehicles subject to motor carrier rules who operate exclusively in intrastate commerce to have a medical examination and to take written tests and road tests as required by federal regulations.

The commissioner of safety may waive specific requirements or standards of the medical examination for drivers of intrastate commercial motor vehicles who hold a valid commercial driver's license on or after January 1, 1990, if public safety would not be jeopardized.

Waivers granted by the commissioner are placed on the medical examination card.

Amendment adopted. Ordered to Third Reading.

HB 69, relative to highway vending facilities operated by the blind. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: When we heard this bill, we had such erratic and uninformed testimony that we asked the people to return and talk to us when they had somebody that knew the program. We thought we had everybody from the whole program there. We couldn't get answers and when they came in their answers were still a little bit vague and the program was fraught with so many difficulties, it would have literally taken the entire committee a week to get it straightened out and we just decided that it was not the session nor did we have the time to straighten this out and we ask that it be inexpedient to legislate, not because it didn't have some merit but simply because the agency had presented it in such a half-baked condition and it had more problems, every corner we took we found more problems, and if they want to introduce legislation in the house in another year and start from scratch and develop a program with an audit trace, we might look at it again. But it was nothing we could work with and I was never any more disappointed with testimony from an agency than I was in this case where we had the people who dealt with the program and they couldn't give answer one in testimony.

SENATOR NELSON: Senator Heath, this bill passed the House and what was the situation out of the House on this?

SENATOR HEATH: I don't honestly think the House gave it a good look. If they had the testimony that we had and it was as confusing and evasive and inconsistent and they passed this bill, then they were acting irresponsibly.

SENATOR NELSON: You have just heard the bill in early April and we have until the end of May. Wasn't there some other vehicle rather than killing the bill, that perhaps the Senate could have studied it or rereferred back to the House or had an Interim Study on it rather than killing it outright, if that is your concern?

SENATOR HEATH: The whole program that it involved needed a whole structure and it should have been developed in a much longer, much more complex bill. The person who came in and gave the testimony — introduced the bill — is not the prime sponsor but the person who represented the House member and the committee that came in told us that it didn't bother her if we killed it. She saw the problems and we tried. I met with the people from the agency and so on and it just is not something that we would have time to do this session in the Senate.

SENATOR NELSON: Would you believe that there are many cases, for example the jet ski bill, that came before this Senate and which many people in this room didn't like and didn't support but what we did was we put a committee on that to study it. So we studied jet skis in this state and maybe because there was a large constituency, I ask you, Senator Heath and your committee, was it not possible to have established some kind of a bona fide committee to look into something like this, if in fact, you think it has to be such an extensive program when we can talk and give energy to jet skis? Thank you.

SENATOR HEATH: I suppose. No one suggested that we study it. I don't have very much interest in studying it and that is certainly a motion that you would be free to make.

SENATOR PRESTON: I apologize for not perhaps explaining to some of my colleagues. This is a very sensitive subject when you mention facilities for the blind. This pertains to federal highways only and we held it up in committee for a period of two weeks seeking information. A member of the Department of Education who shall go unnamed came over and apologized to us for the lack of information provided to the committee and the answers that we were not provided. Still after two weeks these had not been received satisfactorily. This will not do anything to hurt the services for the blind. It just pertains to federal regulations on highways and I think

that they understand very clearly that they'll get their house in order on this one and come back at another time. In fairness to Senator Heath, I just wanted to make those comments. I should have explained to you, Senator.

SENATOR PODLES: Senator Preston, as I understand, this bill only amends the present statute and they give in both letters what they want in the statute. I can't understand why there would be so much controversy and why the bill would be inexpedient? The bill just amends the present statute.

SENATOR PRESTON: It amended it and the prime benefit would have been to allow blind services to use the dollar vending machines to buy more machines for other locations. But how they did that and the control of funds and construction needed around the facilities and so forth in a total of seven locations they just couldn't provide the answers and we put a lot of time and effort into it, Senator.

SENATOR PODLES: Senator Preston, could you tell me if this is going to create some kind of a problem for them, a hardship or something, if you are going wait one more year?

SENATOR PRESTON: I don't think it would provide a hardship. It does not allow them to get into these vending machines in these federal highway areas. It doesn't take away anything that they have got. It prevents them from participating on the federal highway areas. It is your privilege, Senator, if you want to move to table or anything else, you are welcome to do so if you want to spend the time and effort to correct the bill, but the committee waited in vain for two weeks to see if we could get the appropriate information. It wasn't forthcoming.

SENATOR PODLES: Senator Preston, I said one year, but it is two years because the bill can't come up in the next year, so I would suggest that the bill be recommitted. Would you accept that as Chairman of Transportation?

SENATOR PRESTON: I would like to — would you respond with kind of an affirmative interrogatory and would you believe I would like to put it on the table instead of recommitting it.

SENATOR PODLES: I would like to substitute a motion to table HB 69.

Senator Podles moved to lay HB 69 on the table.

Division vote: 10 Yeas 6 Nays.
Motion adopted.

HB 112-FN, relative to enforcing the boating laws. Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: This legislation would provide for some volunteer and lower paid patrol people on the lake and the amendment that we put on it would assure us that no lowering of the standards that the original bill proposed in terms of the ability to arrest by uncertified police officers, which was a concern.

SENATOR DISNARD: Does this bill contain any information of the state statutes, rules or regulations of the volunteers protected against liability?

SENATOR HEATH: They are. They are not, of course, nor is any police officer, exempted from criminal liability.

AMENDMENT TO HB 112-FN

Amend the bill by replacing section 1 with the following:

1 New Section; Auxiliary Marine Patrol. Amend RSA 270 by inserting after section 12-b the following new section:

270:12-c Auxiliary Marine Patrol.

I. The commissioner of safety may establish a force of individuals to assist the director of safety services and his marine patrol officers to patrol the various bodies of water in the state.

II. An individual appointed by the commissioner as an auxiliary officer under this section shall be either a paid part-time employee of the department or a volunteer, but shall not necessarily be a full-time or part-time certified police officer. An auxiliary officer shall be subject to such training requirements as the commissioner shall deem necessary.

III. An auxiliary officer appointed pursuant to this section shall be granted such police powers as the commissioner deems necessary, provided that such powers shall not include the powers of arrest. The report of an auxiliary officer to a marine patrol officer or other authority shall be prima facie evidence relative to the violation or offense reported.

IV. The commissioner shall furnish suitable equipment to an auxiliary officer, as he may deem necessary, to distinguish the officer as an individual acting in an official capacity.

V. Any individual who is a volunteer and appointed under this section as an auxiliary officer who is actually performing the duties of an auxiliary officer on a body of water in the state, shall be consid-

ered a state employee for the purpose of defense and indemnification from civil suits under RSA 99-D; provided, however, that such person shall not be indemnified from any civil suit arising out of a criminal act.

Amend the bill by replacing section 3 with the following:

3 New Section; Arrest Without a Warrant. Amend RSA 270 by inserting after section 58 the following new section:

270:58-a Arrest Without a Warrant. Notwithstanding any other provision of law to the contrary, a peace officer may, without a warrant, arrest any person involved in a boating accident when the officer has probable cause to believe that such person has violated the provisions of RSA 631:5.

Amend the bill by replacing section 6 with the following:

6 New Section; Stationary Sound Level Testing. Amend RSA 270 by inserting after section 37 the following new section:

270:37-a Stationary Sound Level Testing Authorized.

I. The director or his agent may use stationary sound level testing to determine marine engine noise levels for boats. Such testing shall be conducted while boats are stationary on the water.

II. Noise levels in decibels for stationary sound level testing shall be established for a specific distance between the boat tested and the testing device, at levels which correlate with noise levels in decibels, as set forth in RSA 270:37.

III. Testing procedures for stationary sound level testing shall be measured according to procedures established pursuant to rules adopted under RSA 270:39.

IV. Any test conducted pursuant to this section shall be sufficient to establish a violation of RSA 270:37.

7 New Paragraph; Rulemaking. Amend RSA 270:39 by inserting after paragraph II the following new paragraph:

III. Testing procedures for stationary sound level testing, as authorized by RSA 270:37-a, to determine marine engine noise levels.

8 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill authorizes the commissioner of safety to appoint a force of auxiliary officers to assist the duly appointed marine patrol officers on the various bodies of water in the state.

These individuals shall either be volunteers or paid part-time employees of the department of safety, and will be provided with suitable equipment, as deemed necessary by the commissioner.

The auxiliary officers shall not have arrest powers of a peace officer but the subject of their report to a marine patrol officer shall be prima facie evidence of the offense cited.

The auxiliary officer are indemnified as state employees from civil action, but not if the civil action arises from a criminal act.

The bill reduces the penalty for certain boating violations from a misdemeanor to a violation.

This bill amends the requirements for reports on boating accidents or drownings from a boat.

The bill authorizes procedures for stationary sound level testing for marine engine noise.

This bill is a request of the department of safety.

Amendment adopted. Ordered to Third Reading.

HB 147-FN, relative to commercial driver licensing. Ought to Pass. Senator Heath for the Committee.

SENATOR HEATH: This is a comprehensive part of a national commercial truck drivers program. This is our enacting legislation. Its intent was and is and I am sure to a certain extent that it will work to eliminate duplicate driving licenses which you use to avoid drunk driving and driving under the influence convictions from state to state. It should increase the quality of the knowledge of the truck driver through fairly rigorous examination at renewal time for his licenses, both a written exam and in some cases a retesting of his driving skills. And it is probably a long overdue change considering the number of trucks that are on our highways. And the number of drugs and alcohol problems that are accompanied with that number of trucks and I urge your passage.

Adopted. Referred to Finance (Rule #24).

HB 177, authorizing local authorities to reduce the speed limit in business and urban residence districts. Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: Some questions have come up regarding HB 177 that we have been unable to answer for the moment, so I would like to move that HB 177 be laid upon the table.

Senator King moved to lay HB 177 on the table.

Adopted.

HB 184, relative to driving left of center of roadways. Ought to Pass. Senator King for the Committee.

SENATOR KING: HB 184 merely allows the Department of Transportation to take a look at railroad crossings and intersections that are in rural areas that are very rarely traveled and allow passing in those areas if they see fit.

Adopted. Ordered to Third Reading.

HB 324, relative to posted school zones. Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: HB 324 eliminates the provision that is within the law now that says the town has to have a flashing yellow beacon that is activated at certain hours near a school. And it sets in law that a motorist has to proceed at a speed of ten miles an hour below the posted limit 45 minutes before school opens and up until 45 minutes after school closes.

SENATOR DISNARD: Senator King, would you believe that that is a good bill, but my question is in the summer time many schools have school summer programs, day care centers, school yards that are in operation. What is the reason why those times are not included?

SENATOR KING: Senator Disnard, this bill would allow a town, if a school had some sort of an odd operating time in the summer time or during a school vacation, they would be able to post it. It would not prevent a town from actually posting times that the school would be open other than the regular school hours. It would allow towns to do that. What it does though is it says that they don't have to go to the expense of putting up a yellow beacon. In testimony before this committee, we were informed that by doing this alone we were going to save the city of Keene approximately \$60,000. Because this was a mandate that was passed after the constitutional amendment came through and yet there was no funding provided.

AMENDMENT TO HB 324

Amend section 1 of the bill by replacing it with the following:

1 Basic Rule and Maximum Limits. RSA 265:60, II(a) is repealed and reenacted to read as follows:

(a) In a posted school zone, at a speed of 10 miles per hour below the usual posted limit from 45 minutes prior to school opening until the school opening and from the school closing until 45 minutes after the school closing.

AMENDED ANALYSIS

This bill eliminates the provision which states that the posted school zone speed limit is in effect only when a yellow flashing beacon is activated. The bill requires a motorist to proceed at a speed of 10 miles per hour below the posted limit 45 minutes prior to the normal school opening and 45 minutes at the school closing hour. Amendment adopted. Ordered to Third Reading.

HB 676, relative to the operation of OHRV's on rights-of-way. Ought to Pass. Senator Preston for the Committee.

SENATOR PRESTON: This bill was the result of a study with representatives from all areas of interest regarding OHRV's, department of transportation, fish and game, state police, etc. Has the full support of the New Hampshire Snowmobile Association. It makes some changes that refer to the Department of Transportation instead of the Department of Public Works since our reorganization in 1985. It regulates the use of OHRV's on state rights-of-way, provides for trail connectors and is an agreed bill by all parties regarding the use of snowmobiles.

Adopted. Ordered to Third Reading.

ANNOUNCEMENTS

Senator McLane spoke under Rule 44.

SENATOR MCLANE: I was in New Orleans two weeks ago and picked up the TIME'S PICAYUNE, which used to be Rod Paul's paper. And on the front page or the second page the lead article says "New Hampshire Keeps Law Making Adultery A Crime". Biggest news in New Orleans. And it goes on quoting Senator Preston, a democrat "said he didn't care if other states looked at New Hampshire as guys and gals in orange glow hats." I have never seen Senator Preston in an orange glow hat and so I got one and I wanted to give him the paper and the hat.

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage, all titles be the same as adopted, and that they be passed at the present time.

Adopted.

Third Reading and Final Passage

HB 323, relative to payment of costs of bank examinations.

HB 131-FN, relative to protective well radii for private water wells.

HCR 3, resolution petitioning the United States Congress for a national recycling policy.

HB 54, adding a member to the water well board.

HB 93, relative to the board of nursing.

HB 531-FN, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places.

HB 175, relative to bail commissioner's fees.

HB 477, relative to housing standards ordinances.

HB 657-FN, excepting certain landfills and other waste facilities from local junk yard regulation.

HB 691-FN, relative to recording of ancient plats.

HB 40, relative to intrastate motor carriers.

HB 112-FN, relative to enforcing the boating laws.

HB 184, relative to driving left of center of roadways.

HB 324, relative to posted school zones.

HB 676, relative to the operation of OHRV's on rights-of-way.

Senator Dupont moved that the Senate be in recess until Tuesday, April 18, 1989 at 1:00 p.m. for the sole purpose of introducing legislation, referring bills to committee, scheduling hearings, and Enrolled Bill Reports.

Adopted.

Recess

Out of Recess

Friday, April 14, 1989

HOUSE MESSAGES

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 85-FN through 654-FN shall be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 85-FN, relative to employer enrollment oversight and the New Hampshire retirement system and relative to eligibility for membership in the retirement system. (Insurance)

HB 86-FN, relative to employer remittances to the New Hampshire retirement system and relative to retirement contributions by certain legislative and constitutional officers. (Internal Affairs)

HB 87-FN, relative to group II accidental disability allowances. (Insurance)

HB 91-FN, relative to the New Hampshire technical institute and vocational-technical colleges. (Finance)

HB 96-FN-A, increasing the personal needs allowance and making an appropriation therefor. (Public Institutions, Health and Human Services)

HB 129-FN, establishing fees for reviewing plans to dredge and creating new classified positions and making an appropriation therefor. (Development, Recreation and Environment)

HB 136-FN-A, relative to education in unorganized places. (Education)

HB 157-FN-A, relative to state ski operations at Mount Sunapee and Cannon Mountain and making an appropriation therefor. (Development, Recreation and Environment)

HB 166-FN-A, relative to capitol projects for the department of fish and game and authorizing a maintenance and construction crew for the fish and game department and making an appropriation therefor. (Capital Budget)

HB 173-FN-A, relative to the dedication of the Hampton State Beach lifeguard facility and making an appropriation therefor. (Transportation)

HB 215-FN-A, relative to fish and game search and rescue. (Finance)

HB 240-FN-A, establishing a shooting range study committee. (Development, Recreation and Environment)

HB 305-FN-A, amending the 10-year highway plan. (Capital Budget)

HB 385-FN-A, making appropriations for vacation travel promotion and increasing the rate of the tobacco tax. (Ways and Means)

HB 436-FN-A, relative to sewage treatment funds and making an appropriation therefor. (Development, Recreation and Environment)

HB 439-FN-A, making an appropriation to the office of alcohol and drug abuse prevention and establishing a committee to review the expenditure of funds by such office. (Ways and Means)

HB 521-FN, regarding a state loan for the Monroe sewage treatment facility. (Finance)

HB 556, relative to the board of governors, and administrative board, and the commissioner of the department of postsecondary vocational-technical education. (Education)

HB 613-FN, relative to the method for granting supplemental allowances to New Hampshire retirement system members. (Insurance)

HB 654-FN, creating a committee to study what organizations may participate in the New Hampshire retirement system. (Insurance)

Recess

Out of Recess.

Tuesday, April 18, 1989

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Tuesday, April 18, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Tuesday, April 18, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Freese in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, of all power and might, we call upon you in our time of need! Help us to look upon the abortion bill with justice and truth, as in the Passover Message; "Renewal of Life and a Resurgence of Power!" Let your conscience be your guide.

Today is Senator Krasker's birthday. Let us wish her many happy returns and many more to come!

Amen

Senator Heath led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

NOTICE OF RECONSIDERATION

Senator Bond served notice of reconsideration on HB 531-FN, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places.

SENATOR BOND: The purpose of my motion is to correct the effective date so it is not in conflict with two other pieces of legislation which the Governor is in fact signing today. I am not prepared to come forward with that at this time.

COMMITTEE REPORTS

HB 401-FN, imposing a filing fee for registration of securities by coordination. Ought to Pass with Amendment. Senator Delahunt for the Committee.

SENATOR DELAHUNTY: This bill requires each corporation or limited partnership registered, by coordination with the Director of the Office of Securities Regulation, to pay a fee. The original bill required them to pay a \$20.00 filing fee when it submitted its registration statement. The committee met and amended the bill to require a \$50.00 filing fee, which will raise approximately \$250,000, the cost to recoup the administrative costs of the department. We urge your support on the committee's recommendation of Ought to Pass with Amendment.

AMENDMENT TO HB 401-FN

Amend RSA 421-B:13, I-a(a) as inserted by section 1 of the bill by replacing it with the following:

(a) **Along with a \$50 filing fee**, a statement shall be filed with the director that the capital stock of the corporation or the interests of the limited partnership have been registered, or when offered will be registered, under this chapter or are exempted, or when offered will be exempted, under this chapter; or are or will be offered in a transaction exempted from registration under this chapter; and, in the case of a New Hampshire corporation or limited partnership, that the articles of incorporation or certificate of limited partnership state whether the capital stock or interests in the limited partnership will be sold or offered for sale within the meaning of this chapter. The statement shall be signed by the incorporators of a corporation to be formed, by an executive officer of an existing corporation, or by the general partners or intended general partners if a limited partnership.

AMENDED ANALYSIS

This bill requires each corporation or limited partnership registered by coordination with the director of the office of securities regulation to pay a \$50 filing fee when submitting its registration statement.

Amendment adopted. Ordered to Third Reading.

HB 467, relative to discharges of mortgages. Ought to Pass with Amendment. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: The analysis on this bill is correct. It requires that the mortgagee record a discharge of a mortgage at the registry of deeds. Currently, recording the discharge is the mortgagor's responsibility.

AMENDMENT TO HB 467

Amend RSA 479:7, II as inserted by section 1 of the bill by replacing it with the following:

II. The [mortgagor] **mortgagee**, within [30] 60 days after said mortgage is satisfied, shall cause the discharge [thereof] **of the mortgage** to be recorded in the registry of deeds where the land lies.

AMENDED ANALYSIS

This bill requires that the mortgagee record a discharge of a mortgage, within 60 days of its satisfaction, with the registry of deeds. Currently, recording the discharge of a mortgage is the mortgagor's responsibility and must occur within 30 days of satisfaction of the mortgage.

Amendment adopted. Ordered to Third Reading.

HB 492, relative to recreational campgrounds and camping parks. Ought to Pass with Amendment. Senator Bass for the Committee.

Senator Bass moved to recommit.

SENATOR BASS: I would like to move at this time that HB 492 be recommitted back to the committee on Development, Recreation and Environment. And I will speak to that motion. There is some feeling on the part of members of the committee that we may be able to make further improvements on this bill before it is sent back to the House and we urge the Senate to support our motion to take a second look at it.

SENATOR BLAISDELL: Senator Bass, not being that familiar with this bill, was there any testimony in this hearing on taxing campground trailers that reside in a park all winter long, for instance, or all summer and send their children to school? Some of the smaller districts, some of the smaller towns have contacted some of us and asked whether or not that has been discussed at all. Because right now, the small towns are being hurt because some of the campers are staying in these parks year round and are not being taxed so that the children that are in the campgrounds the town has to pick it all up. So was there any discussion at all on that?

SENATOR BOND: No, Senator Blaisdell, there was not. In fact, the sponsors of the bill went out of their way to emphasize the fact that this only deals with recreational campgrounds that are not used all year round. The matter of taxing those campgrounds where people stay for longer periods of time was not brought up at all. But I certainly wouldn't have any objection if it was brought back to committee to having you or anyone you wish to designate to come and bring this matter to the attention of the committee.

SENATOR BLAISDELL: When there is a hearing on this or a rehearing or any testimony you receive, I would like to have some input, because some of the smaller towns that I represent are having some problems with that. It could create quite a problem.

SENATOR BOND: Senator Blaisdell, I share your concern and I also have a number of other concerns with this bill as well. So I will do my best to make sure you are notified of the time in which we plan to consider this bill.

Adopted.

HB 66, relative to health maintenance organizations. Ought to Pass with Amendment. Senator Charbonneau for the Committee.

SENATOR CHARBONNEAU: The amendment is on page 5, but I will go into the thrust of the bill. The background of the bill is quite simple in that more and more the regulators, the insurance departments across the country, have become keenly aware of insolvency in the HMOs. At last count, and I guess this has been updated, last time I heard there had been 77 of them that had gone bust across the country. And as you know, the local HMOs, the ones here in New Hampshire, are having some financial difficulties as well. Under RSA 420B the regulatory authority of the commissioner was pretty much limited. Generally, what it says today is that the statute that specifically addresses HMOs says that the commissioner shall issue

a certificate of authority if he is satisfied that the applicant is safe, reliable, and entitled to his confidence in a sound financial condition. HB 66 allows a commissioner to require a new application if there has been a substantial change in the finances and management. There are many changes but the amendment analysis addresses each and every one of the major changes. In the amendment on page 5, New License Required for Changed Conditions, the commissioner shall require a Health Maintenance Organization to apply for a new certificate in accordance with the chapter. If after notice and hearing, the commissioner finds that the organization has undergone a substantial change in financial management control since its last application for certificate, the current certificate shall expire upon the approval of a new application or 30 days after the decision of the commissioner that a substantial change has occurred, whichever is sooner. I urge your support.

AMENDMENT TO HB 66

Amend RSA 420-B:5-b as inserted by section 2 of the bill by replacing it with the following:

420-B:5-b New License Required for Changed Conditions. The commissioner shall require a health maintenance organization to apply for a new certificate in accordance with this chapter; if, after notice and hearing, the commissioner finds that the organization has undergone a substantial change in finances or managerial control since its last application for a certificate. The current certificate shall expire upon approval of the new application or 30 days after the decision of the commissioner that a substantial change has occurred, whichever is sooner.

Amend RSA 420-B:24 as inserted by section 5 of the bill by inserting after paragraph II the following new paragraph:

III. Should federal legislation requiring employers to offer to employees the option to enroll in a health maintenance organization be repealed or expire, the provisions of RSA 420-B:24, I and II shall no longer apply.

Amend the introductory paragraph of RSA 420-B:25, III as inserted by section 5 of the bill by replacing it with the following:

III. A health maintenance organization certified before the effective date of this act shall maintain a minimum net worth of:
Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Reconvened in Representatives Hall.

Senator Bartlett in the Chair.

HB 377, relative to a statement of policy on pregnancy and repealing criminal penalties for persons performing abortions. Inexpedient to Legislate. Senator Roberge for the Committee.

SENATOR ROBERGE: I want to begin by stating the obvious, because the obvious often gets overlooked. I want to begin by stating the obvious: the offspring of human beings are human beings. They are not dogs or pigs or chickens. You don't have to be a scientist or a geneticist to know that the offspring of human beings are human beings. It is self-evident. And it is likewise self-evident that each abortion kills a human being.

Those who defend abortion say that it's a private matter between a woman and a doctor. In fact, there are three human beings involved. The abortionist, the mother and the child. In fact, the explicit purpose of an abortion is to kill the third human being. As a further fact, in those few instances that the infant survives the abortion and emerges alive, the abortion is considered to have been a failure.

Those who defend abortion always try to portray abortion as a feminist issue. The cause of feminism has much to be said for it, and often the feminist arguments are very good arguments. Equality under the law is an ideal toward which our society ought to strive. But abortion doesn't just involve a woman and her doctor. It involves a third human being, a prenatal infant. And the purpose of each abortion is to kill that prenatal infant.

There are better alternatives than the killing of prenatal infants. In the first place, this isn't 1959, it's 1989. There isn't the stigma which used to be attached to pregnancy out of wedlock. So there is the option of single parenthood. This is not easy, but it's far better than the killing of a prenatal infant. Then there is that loving alternative of adoption. There are millions and millions of Americans willing to adopt children. Again, it's difficult for the mother, but so much kinder, so much more merciful than killing the infant before he or she is even born.

And so when you put the focus on the infant, the matter becomes much clearer. It isn't a feminist issue, it's an issue of human life. It's an issue of respect for the life of every human being, especially these who are utterly defenseless - utterly defenseless.

Those who want to repeal New Hampshire's Anti-Abortion Laws argue that the Supreme Court has found abortion to be a constitutional right. May I remind my colleagues, the Supreme Court in the 1850's found human slavery to be constitutional (The Dred Scott Decision of 1852). Did that make slavery right? Of course not. May I remind my colleagues, the Supreme Court in the 1890s found that racially segregated schools were constitutional (*Plessy vs. Ferguson*, 1896)? Did that make segregation right? Of course not. The point is, the Supreme Court can make mistakes. And the Supreme Court has made mistakes.

Some feel there ought to be exceptions for rape and incest and where the life of the mother is endangered. As a practical matter, let me point out to my colleagues that the question before the Senate is not whether abortion should be legal in cases of rape, incest and life of the mother. The question before the Senate is: Shall abortion be legal in every case? Shall abortion for any reason be legal? That is the question on which we shall vote. Senators who wish to seek exceptions for rape, incest and life of the mother are free to seek to enact such exceptions at a later date, if we defeat the bill before us. But make no mistake about it, the bill before us would wipe our state's abortion laws right off the books. And should the Supreme Court overturn *Roe vs. Wade*, any abortion for any reason will be legal in New Hampshire. Every abortion will be legal. Every abortion!

Some senators have made up their minds already. Some favor repealing our abortion laws. Some oppose repeal. Let me address a few words to those who are struggling to reach a decision. If you believe that the offspring of human beings are human beings, vote against this bill. If you believe that abortion kills human beings, act like abortion kills human being. Now is the time to stand up for what you believe in. Act on your beliefs.

Some say, well, I'm personally opposed to abortion, but I don't want to impose my views on others. My colleagues, as legislators, we are elected to make choices. Each of us were chosen, in part because the voters trusted our judgment a little more than they trusted the judgment of the candidate we defeated. We were elected to exercise judgment. No one in his right mind would stand up in the Senate and say "I'm personally opposed to stealing, but I won't vote for laws against stealing, because I don't want to impose my views on others." No one would stand up and say, "I'm personally opposed to assault and battery, but I won't vote for laws against assault, because I don't want to impose my views on others." That would be ridiculous.

Why would anyone say he or she is "personally opposed" to abortion? If abortion doesn't kill human beings, abortion doesn't matter any more than having a tooth pulled. But abortion is very different. It involves a human being who is genetically unique. No human being since the dawn of history has ever shared the same set of genes. For as long as mankind exists in the future, no human being will ever again be conceived who has the same set of genes. Abortion is different, because abortion involves the killing of a genetically unique individual, an individual who is like his or her parents, but separate and distinct from them. Each of us is a one-time phenomenon.

Why is it, then, that nearly everyone is personally opposed to abortion? Because it is self-evident that the offspring of human beings are human beings. It is self-evident that abortion kills human beings. That's why people say they are personally opposed to abortion. My colleagues, I say with all sincerity, if you are personally opposed to abortion, you are opposed for only one reason: you know deep down inside that abortion kills human beings. My colleagues, I say with all sincerity, if you are personally opposed—if you believe abortion kills human beings—then act like you believe it. Vote against this bill! Don't make every last abortion legal in New Hampshire. Defeat this bill!

Senator Bass moved to substitute ought to pass.

SENATOR BASS: I move to substitute the minority report Ought to Pass for the majority report of Inexpedient to Legislate.

It has been a while since I stood here. I used to sit right where Senator Roberge is sitting right now. Truly an interesting situation. This is my lucky lectern, too, I might add. There are a number of people who are going to speak about various issues regarding this bill today. I would like to address myself to two in particular. As Vice-Chairman of the committee, I took it upon myself to study what is occurring from the statutory standpoint and try to analyze that and determine whether or not we were doing something that was justifiable as we might do if we were considering repealing any other statute dealing with solid waste or municipal affairs or anything else. It is interesting to note that the statutes we are considering today were enacted in 1848 and, as an observation, I might add that there was not a woman around that was able to have a say in the adoption of those statutes because women weren't allowed to vote. These were statutes that were enacted in the mid 19th century by men in the State of New Hampshire - primarily, incidentally, to pro-

tect the life of the woman and I would call your attention to the hand out which I gave you - had distributed - a couple of minutes ago to 585-14 which is the last of the three statutes. It says in effect that if you cause the death of a woman you are guilty of murder. It doesn't say anything about the crime of abortion. It is basically if you cause the death of a woman. Basically, these amendments were designed to protect in the days when physicians and doctors were rare and there were other people, snake oil salesmen and people like that who were not really qualified to do so, performing abortions. But let's take a look at the statutes we are proposing to repeal because they don't really do what people think they do. First of all 585-14, as I just mentioned, says that if you perform an abortion and it causes the death of a woman, the person is guilty of murder. But as we know and we heard in our public hearing there was a Supreme Court case that said that you have to prove malice in order to prove the crime and the crime of abortion is not covered in the statutes. So therefore it is a separate crime that is not related. The problem with malice is you have to prove therefore that it was the intent of the doctor to kill the woman. And, I don't think that there were very many instances in which a doctor at any time during the pregnancy determined that an abortion is necessary in order to kill the woman. So as a result, I think it would be rather hard to enforce this particular statute. I would like to mention one other thing. We have been, as Senators, given this little model here which is a fetus obviously and it has been said that this is the issue before us, which indeed it is. But I noticed stamped on the back here, it says that it is 11 to 12 weeks pre-born. That means that this baby, this fetus is the size that it would be at the beginning of the third trimester. One week into the third trimester to be exact. Now, under *Roe vs. Wade*, the states are allowed to proscribe abortion during the third trimester, which means that you can prohibit them. The fact of the matter is, this hasn't happened in New Hampshire and the reason for that is that there hasn't been any abuse during the third trimester. Otherwise, we would have had legislation before us. But let's talk about 585-13 which is the next section which we are proposing to repeal. And that basically says if abortion is performed after quickening except when the mother's life is in danger the woman or the doctor is guilty of manslaughter. But the fact is in that particular section, the definition of quickening is subjective and is totally up to the woman to decide when the baby moves inside her. If you try to prosecute under this section of law, you would have to get the woman to testify that the fetus was quickening. But the woman wouldn't be able to do that because that would be a violation of the 5th amendment and the 15th amendment of the federal and state constitutions, i.e. self-incrimination. So that particular law would be totally unprosecutable as well as the one before.

It is, in fact, 585-12 that is the most significant at all. And that is the one that will be brought into question if there is any determination made by the Supreme Court in August of the this year to make any changes to Roe vs. Wade. Now the question is brought up ...Why bother to wait, why do it now, why not wait until next year. Well it is for this reason, for this section alone that we need to consider this issue now and not next year. Because in the Webster case, which is before the Supreme Court, we will hear arguments in April and we will get deliberations and conclusions sometime in the middle of the summer; possibly the late summer when the Senate and the House are out of session. Nobody really believes that Roe vs. Wade is going to be overturned outright. The fact is that if there is any consideration whatsoever given to the validity of the Arkansas Webster case, in fact the very next thing that will happen the very next day is that some aggressive prosecutor will come in, will appear at some health center, some feminist health center somewhere and say that they wish to prosecute under 585-12. That will take years to challenge through the court system and the result will be that the whole situation will be thrown into doubt and the fact is that there will be a period of time before the legislature acts where we will not know what to do. And so it is extremely important to bring this up now and not next year and either affirm it or not affirm it. I would like to address one other issue. It's a personal observation that I made during the public hearing last week. A lot has been said about the moral, ethical, medical and religious. I would like to deal with the religious part of it for a second. We in this country and in this state have always tried to separate to the greatest extent possible the church and state. As a result of what I saw at the public hearing last week, there is no question in my mind that this is really a religious issue. And the thing that was most surprising to me as one who has never really dealt with the issue of abortion before in my life, legislatively, was the amount of discord and disagreement that existed between various religions as to what should happen to this bill. And I think we owe it to the doctrine of preserving the separation of church and state so that we don't do what we did in Salem and the early Puritans who tried people by the Bible or after the French Revolution. We can't do that in this state and in this country. It is one of the basic founding principles upon which our government is based. And I would just like to mention that the public hearing was in fact dominated by the clergy but for the most part the information that we received was that many of the churches were in favor of the bill. And I was given, as one of the handouts, information not specifically relating to 377 but the Senate ought to understand that the American Jewish Congress, the American Baptist Churches, the Christian Church - Disciples of Christ, the Lutheran Church in

America, the Moravian Church in America, the Presbyterian Church USA, the Reorganized Church of Jesus Christ of Latter Day Saints, the Unitarian Church, The United Church of Christ, the United Methodist Church, the YWCA and, yes my church, the Episcopal Church favors the right of a woman to make the decision. I would like to end by quoting from the Bishop of the Diocese of New Hampshire, he said " I come from a tradition which believes that the Church must win adherence to its tenets through precepts and examples by which free people are enabled to make their own moral decisions of their own God-given free will and by the guidance of the Holy Spirit not by the power of the State." I urge you to adopt the minority report Ought to Pass.

SENATOR KRASKER: I speak in support of the motion Ought to Pass on HB 377. For sixteen years, the women of New Hampshire have had the right to make a determination regarding completion or termination of pregnancy based on their own religious, moral, and ethical beliefs; based on their own particular set of circumstances and with the help of family, clergy, doctors and friends. With the passage of HB 377, this right is preserved within state law for the women of New Hampshire. The essence of HB 377 is non-governmental interference in what must be a personal and a private decision. One that is never easy, is often an anguished decision. And one that is always based on circumstances unique to the woman. I, too, have received a multitude of phone calls and mail regarding this legislation. The most common charge of opponents - that it will lead to abortion on demand for nine months - is untrue and it is not borne out by the facts that third trimester abortions are not performed in New Hampshire now. And there are no laws prohibiting them. This will not change with the passage of HB 377. They're not performed because they become increasingly more dangerous as pregnancy proceeds. Nationally, only a small number are performed and this is only when the mother's life is at risk or when genetic anomalies have developed. And then only in a hospital setting with a participating physician. We are talking about less than 1/10 of 1 percent of all terminations. The enactment of HB 377 protects everyone's rights. No one, who is opposed to terminating a pregnancy for any reason, religious or otherwise, need ever do so. Not now, not with the passage of HB 377, not ever. HB 377 also protects the rights of the majority of women - a majority as consistently evidenced by polls and surveys to reach a different decision should that ever be necessary, a decision based on their own religious, and moral beliefs and exercise of conscience. We live in a pluralistic society. The greatness of this nation is embodied in its constitutional guarantees of individual liberty, including religious freedom. It drew my grandparents

here for that reason. We are given the constitutional right to be different for one another in this fundamental aspect of life. And to act in accordance with our beliefs. This is true in the issue of pregnancy. With all the emotionalism generated by this issue I hope that we always remember that this is not a conflict between moral people who value life and immoral people who do not. But between those with differing morals and religious traditions and understandings. According to the tenets of my faith, termination of pregnancy can be a religious requirement. If a pregnancy endangers the life of a mother, it's not a matter of choice. It is mandatory and this includes mental and emotional well-being not just physical. According to Exodus 21: 22 and 23 the life of the mother is paramount. To many the sacredness of life is diminished far more by callousness or indifference to those already born. In the face of the desperation that has driven women to risk their lives and mutilate their bodies, we must recognize that other values do exist. When faced with extreme circumstances, individuals must have the right to turn to their own religious and moral teachings for guidance and make a decision based on those intrinsic values and traditions. HB 377 allows them to do this. And fellow Senators, I urge your support.

SENATOR PODLES: I rise in support of the committee report of Inexpedient to Legislate. HB 377 would allow the mother to order at her sole discretion the destruction of her child up to and including the time of actual delivery. This is the real and intended fact of this bill. HB 377 has absolutely no restrictions on abortion. It will make New Hampshire open season for abortionists to reap in their money at the expense of women. It's the abortionist's dream. The law this bill seeks to overturn is unconstitutional because of Roe vs. Wade. It is unenforceable. The bill is unnecessary. HB 377 should be voted down for it is an attempt to head off the democratic process which a reversal of Roe vs. Wade may bring to pass. If it is reversed, then each state, including New Hampshire, will have its own freedom to write abortion laws according to its own democratic legislative process. Fifteen states still have anti-abortion laws on the books so New Hampshire is not so unique. They include Connecticut, Delaware, West Virginia, Alabama, Mississippi, Louisiana, Oklahoma, Arkansas, Michigan, Arizona, South Dakota, and Wisconsin. During the late 60's and 70's, abortion was promoted as the cure for all teen pregnancies, child abuse and female poverty. Twenty five million abortions nationwide, seven thousand for the state of New Hampshire, all those problems have worsened leading many to wonder about its effectiveness as a solution to our social problems. So truly, the destruction of the life of the weakest and the most vulnerable

member of our society is not an acceptable means of resolving individual and social problems. Senators, I urge you to uphold the existing law regarding abortions.

SENATOR CHARBONNEAU: We the people of the United States. Yes, we the people of the United States take pride in living in a free nation where we the people are allowed individual choice that affects our daily lives. The issue before us is viewed by many as an emotional, moral and religious issue. My fellow Senators, it is an anti-choice issue which government should not mandate. We should leave the decision to the individuals involved according to the circumstances. I, therefore, ask you to allow the people of New Hampshire to continue to exercise their individual right to choose by voting for the passage of HB 377. Is the New Hampshire Senate so undemocratic to take away the people's right to choose? I, myself, never chose to end a pregnancy. I have borne and raised five children. I hope that any of my children or grandchildren would not choose any other option from the one I chose. But, I don't walk in their shoes. It should not be up to me or a government body to make that decision. The choice should lie with the one who bears the burden. The people of New Hampshire should have the right to choose for themselves and I am going to go one step further. In 1965, my daughter was 11 years old and was almost raped by my best friend. What would you have done in that case when Roe vs Wade was not on the books? How as a parent, how could a child eleven years old deal with another child? Tell me and then you must make that decision. Thank you.

SENATOR NELSON: My fellow Senators, I first begin by applauding and commending the citizens of the State of New Hampshire for getting so involved in the political process. I received many, many letters and phone calls on both sides of the issue and for that I thank the people who took the time. This has been called a woman's issue. The most important issue concerning women. That government should not be involved in this issue - that women's rights shall back slide - that it will be devastating to our young women, to our teenagers and our other women and that women loose political ground, etc. I have thought long and hard on this issue as have many of you sitting in this chamber today. The energy expended by men and women on this issue is second to none, even though women and children represent the major portion of uninsured in this state and in fact, some are probably dying because they cannot afford insurance. Prenatal care for women is sorely lacking in this state and women are earning 63¢ on the dollar. We have not put a woman in the Governor's seat in New Hampshire, nor have we increased the women

since 1973 in the United States Senate. The Roe v Wade has been the law of the land for 16 years. This was to be the most important decision for women and to take them out of economic poverty and to give them clout. But women as a whole in this nation, do not possess economic clout nor do they possess major political clout in this country. What we do have now is the feminization of poverty, an increase in domestic violence, and mostly against women. Less insurance coverage for our women and women working against women rather than women making a difference for women. Whatever the vote today, the Roe v Wade will still be in existence and in fact if that is overturned we will come back again. I would strongly urge the men and women on both sides of this issue who have called and told me that this is a very important woman's issue to take that same energy, that same vitality and drive, and work hard for the elderly women in this state, for the single parents who are mostly women in this state, for women who are pregnant and who are visiting hospitals and cannot get taken care of, as was pointed out in the Nashua Telegraph last night, for those women in the state who cannot afford Medicaid because of the ridiculous criteria and rules and laws on our books in the State of New Hampshire, and for those women who are handicapped and who are supporting handicapped children who need services and can't get them. For these reasons, I oppose the present motion before you.

SENATOR JOHNSON: I rise in support of the motion Ought to Pass on HB 377. We often ask the question "where is that person coming from?" We then use that information to evaluate their position. I am going to do my best to tell you where I am coming from on this issue. I have never been involved in an unwanted pregnancy. My two daughters and my daughter-in-law have never been involved in an unwanted pregnancy and I hope that my four beautiful granddaughters are never involved in an unwanted pregnancy. I have lived my entire life without having direct knowledge of anyone ever having an abortion with one exception and that was an exception that I learned about in the Senate hearing last week. I doubt that any minds will be changed today, but it is important to me to go on record of the action that I take today. I have thought long and hard over this issue too, Senator Nelson and I have talked to many, many people and I have heard from many people. I respect the basis for their conviction and those who will vote against this bill. I hope you will do the same for me today. The issue before us today is HB 377 and, with all due respect to my colleague, Senator Roberge, this is not a pro-abortion bill. Section 1 simply says the State shall not compel any woman to complete or terminate a pregnancy. This section takes the government out of the decision. A decision that should be based

on a religious conviction and we've already heard testimony about the differences in religious convictions. But the decision should be based on a religious conviction, the medical evidence available, the ethics, the morality of the individual and other personal circumstances. Those who oppose abortion can continue to oppose abortion and I urge them to do so and maybe one of these days I'll join them in that effort myself. The prevailing philosophy in New Hampshire is that the least government interference is the best for its citizens and I think that is the point that Senator Charbonneau was making earlier. But I have other reasons for supporting this bill. We live in a society that flaunts, no not just flaunts, but exploits, sex and sexuality at every opportunity. Is it any wonder that we have thousands of teenage pregnancies? I have been in the Senate for some six and half years now and my experience has been that many of those legislators who would want to force every woman to complete every pregnancy are the least likely to provide when needed any succor for the mother and child. And let me give you a current example of what I am talking about. I am looking at the Union Leader Monday, April 10, and it talks about a support group seeking health care for the poor in New Hampshire. And it's a lengthy article and obviously I am not going to try deal with all of it. But let me quote some to the most important aspects of it. "Despite the effort of the two city-wide task forces and both hospitals in Manchester perhaps as many as 150 pregnant women in the Queen City are still going without needed prenatal care." And I say to you my fellow Senators, I didn't get a single call from anybody telling me about this and urging me to do something about providing the needed prenatal care for the 150 women twenty miles away from us in the city of Manchester. Edith Salsman, the director at Eliot Hospital, conceded the Manchester hospital through its prenatal care program is rationing care - rationing care, because there are not enough slots to accept every woman who comes for care. Faced with a choice of helping a woman 8 months pregnant or a woman in the early stages of pregnancy, the Eliot prenatal service would opt to help the latter because that is where it could make the greatest impact on the health of the mother and child, Salsman said. She went on to say that Catholic Medical Center in Manchester was being forced to do the same thing. "We know that at least 150 women have tried the two of us and we couldn't get them in." And then finally, that means many of these women are showing up at the hospital emergency rooms to deliver their babies having had no prenatal care by a physician. Let me quote from another communication that probably came to all of you that I happen to notice it. It is the Hunger Action Forum March 1989 and it's talking about some new hope for some children in poverty and when I mention the word poverty I think we all need to face up

to the fact that it's children who represent the majority of people in poverty in the United States today. But this goes on to talk about the new federal welfare law hoping to have a major impact in reducing poverty and it raises that as a question and it goes on to talk about a provision being automatic withholding of child support payments from paychecks of absent parents. The law also requires states to improve their efforts to establish paternity. And then this is an important quote that I want to make sure you all hear "We've got 4 millions kids who need paternity established before they can get child support" says Wayne Stanton director of the federal office of Child Support Enforcement. So those are two of the very current and very specific examples of where our society - some members of our society - who want to force every woman to complete every pregnancy but then after the child is born then they're often absent in providing the needed care. I would like to also quote briefly from a couple of the letters that I received. And I do so because I think it helps understand the feelings of a lot of us who are voting on this bill today. This is from a lady in Durham, NH and she goes on to say "My personal belief is that abortions are tragic (and I think every Senator here today would agree) but some individual situations are even more tragic. Child abuse of unwanted children (and certainly we can all take some pride that members of our own Senate have taken leaderships roles in the fight against child abuse, but it is here) appalling incests, our highest rate of teenage pregnancies in the Western world. Children being born to children, the inhumane forcing of a seriously ill mother to bear another child at the risk of orphaning her others and then the obvious discrimination between rich women and poor women whenever birth control and abortion are criminalized. Wealthy women in crisis have the means to travel elsewhere for help while poor women do not have that option" And she closes by saying "I hope and trust that you like so many of your fellow Granite State constituents who are too reticent to speak up about private subjects believing in preserving the principle of religious freedom in the matter of 377." Very briefly a letter from Nashua, and this lady goes on to talk and she begins by saying "we've recently moved to New Hampshire and we're impressed by how important it is to people here reference their freedom of choice. This is shown in many ways - no sales or state tax, no mandatory seat belt or motorcycle helmet laws and yet you want to take that same freedom of choice away from women." And then the last one that I want to quote from she's talking about these complexities abound in our lives. "This is not time for me today to continue to lay them before you. What I ask of you is to not turn away from this difficult reality. Let us recognize that HB 377 which affirms that the state shall not compel any woman to complete or terminate a preg-

nancy is a bill which acknowledges the complexity of life in this imperfect world, and avoids a simplistic solution to a question that has no universal right answer. Faced with the impossibility of being right regarding this issue we must do the next best thing. Government must accept its limitations and refuse to compel its citizens to chose only one path or the other. In summary, an unwanted pregnancy presents the woman with a real dilemma. And if it is a choice of bearing an unwanted, unloved child or ending an unwanted pregnancy, I believe that ending the unwanted pregnancy is the lesser evil." I urge my fellow Senators to vote in favor of the Ought to Pass motion, and take government out of this most personal private decision. Thank you.

SENATOR ST. JEAN: I don't need to tell my colleagues that this, of all the issues we have had to deal with, is the most difficult for me and at times, I suspect I feel ill-equipped to deal with this issue being male and single, a Franco-American Catholic. But those of us who hold public office do have to make some hard choices at various times. If I didn't hold public office, my views on this matter would be between myself and my God and nobody else. During the first 100 years of New Hampshire history, it was against the law for a Catholic to hold public office in this state. And that was wrong. Government has no right to favor one religion or another. That's what our country is all about. And it is wrong today for the tenets of one religion to be forced on those of another religion. For instance, my colleague Elaine Krasker, tells me that her faith stipulates that if a medical choice must be made between the survival of fetus and the mother it is the mother who will be selected to survive. That is a religious matter, a personal matter, a decision to be made by a woman and her doctor, a woman and her clergyman. It is wrong for government to step in and force her to follow the tenets of the religion. I believe in my religion. I believe in my country. But we must keep them separate. As a member of the Senate, it is my duty to protect the religious and personal freedom of everyone. Not to take the most popular course or the most powerful view of things and force everyone to follow it or be punished. This is a matter for each person to decide for themselves, privately and without the state legislature making up their minds for them, forcing them to believe the majority view of that particular day. Remember 100 years ago, the majority view was that Catholics should not have the right to hold public office in this state. You can use your imagination to predict what it might be in 10 or 20 years down the road if we don't do our duty today and preserve the rights of today's citizens even if those rights are unpopular in the minds of the state's politics.

SENATOR PRESTON: I would like to thank you, Mr. President, for this extraordinary move and allowing this debate to take place in the Hall so that members of the public might be present. I stand before you knowing the votes are in to oppose the motion before us of Ought to Pass. I also, with Senator Nelson, would like to commend all of you that contacted us on this most important issue. But for a few (those who would accuse us of just about anything regardless of what side we are on the issue) generally most of whom I spoke to at least most fervent in their stands respected our rights to disagree and thanked us for calling and recognized the difficult choice we had to make. Let me begin by saying to those whose views differ with mine and as fervently, as sincerely, as you have a position on pro choice, my conviction and that of some of my colleagues is from the heart and is strong, if not stronger, in our belief that we are protecting the unborn and I stand proudly before you to say that today. This is not an issue to vacillate upon, to hold one's finger to test the direction of the political winds a' blowing. And though some would like to conjure this up as such it is not a gender issue, it's not a woman versus man issue, and certainly several of those in this chamber strong advocates on womens' issues on safe houses and battered women and so forth will speak on either side of this issue. And Senator Podles and myself opposing this bill today led the fight to the strongest sexual abuse bill for women and children in the country. And there are some that would lead us to believe that this is just a housekeeping bill to repeal antiquated statutes. This bill establishes a policy all right. It does away with restrictions on abortion. And it makes a declaration today if passed by this body, that New Hampshire stands for abortion on demand with no rules in the field. This legislation has caused much discomfort for many. But my concern is that the constituency unable to fend for themselves today will not be heard. The statement of policy on abortion is really that the state of New Hampshire affirms unrestricted abortion on demand in regards to 377 before us. Is there is any member of the state Senate have so hard a heart that they truly support such an extreme position as this? Does not the state have not the obligation to protect the lives of the unborn? HB 377 says definitely not. I think you know in the past I have expressed grave concerns about teenagers driving over the border to obtain abortions in New Hampshire. I have grave concerns about medical technology allowing earlier and earlier determinations of the sex of children earlier and earlier into the pregnancy and technology also allows for earlier survival out of the womb. And it has been a full sixteen years since the Supreme Court decision of Roe versus Wade and the citizens of this nation and this state as evidenced today still radically differ on this issue. There is a lot of doubt out there by many and I say to my colleagues here today that

if you have any doubt about this issue at all, any doubt at all about your vote on 377 - if you are not sure - then please err on the side of the unborn children's right to live. The real choice here today is do we want to repeal a very clear statement made in at least one section of the 1848 statutes or say anything goes regarding abortion. Because that is exactly what 377 does. It repeals it all with no guidelines. The wording of the New Hampshire statute dating from 1848 maybe quaint or medically out of date but the sentiments then established by that society saying that we have an interest in acknowledging the personal dignity of human life still lives today. Please, colleagues, the fact that some belong to an organized church should not be chastised for taking a position on this bill for were they to sit back and remain mute on such an issue when in their eyes they witness a moral wrong. I sense this in my nine terms in the Senate may be one of the darkest days in that brief history of mine and in fact in the State of New Hampshire. There may be more votes on one side than the other on this issue today, but there will be no winner and for those reasons I oppose HB 377 before us at this time. Thank you.

SENATOR BARTLETT: I would like to thank Speaker Scamman for allowing us to use this hallowed hall. I would also like to thank Warren Leary and his staff for the quick response to our request to move into this Hall so that those of you in attendance could hear the speeches made by the Senators. I thank the audience and the guests here today for their demeanor. At this time, the Senate will recess to its body to take its vote on HB 377.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

Roll Call requested by Senator Roberge.

Seconded by Senator Blaisdell

The following Senators voted yes: King, Freese, Hough, Currier, Disnard, Blaisdell, Bass, Charbonneau, McLane, Johnson, St. Jean, Torr and Krasker.

The following voted no: Senators Bond, Heath, Dupont, Roberge, Magee, Nelson, Podles, Stephen, Bartlett, Delahunty and Preston.

13 Yeas

11 Nays

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Freese in the Chair.

COMMITTEE REPORTS

HB 232, relative to authorizing the prepayment of taxes. Ought to Pass with Amendment. Senator King for the Committee.

Senator King moved to lay HB 232 on the table.

SENATOR KING: There are a few questions that have been raised about the amendment on HB 232 and I am going to ask that at this time we table it while we try and deal with those questions before we bring it up for a vote.

Adopted.

HB 457, relative to municipal regulation of forestry. Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: HB 457 is essentially a statement on the part of the state of New Hampshire that forestry is an important resource to the state and that we ought to discourage zoning changes that affect our ability to carry on forestry and the timber industry and the committee urges its acceptance.

AMENDMENT TO HB 457

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Forestry and Municipal Planning and Zoning. Amend RSA 672:1 by inserting after paragraph III-b the following new paragraph:

III-c. Forestry, when practiced in accordance with accepted silvicultural principles, constitutes a beneficial and desirable use of New Hampshire's forest resource. Forestry contributes greatly to the economy of the state through a vital forest products industry; and to the health of the state's forest and wildlife resources through sustained forest productivity, and through improvement of wildlife habitats. New Hampshire's forests are an essential component of the landscape and add immeasurably to the quality of life for the state's citizens. Because New Hampshire is a heavily forested state, forestry activities, including the harvest and transport of forest products, are often carried out in close proximity to populated areas. Further, the harvesting of timber often represents the only income

that can be derived from property without resorting to development of the property for more intensive uses, and, pursuant to RSA 79-A:1, the state of New Hampshire has declared that it is in the public interest to encourage preservation of open space by conserving forest and other natural resources. Therefore, municipalities are discouraged from using their zoning and planning powers to restrict forestry activities, including the harvest and transport of forest products, when these activities are carried out within the constraints established by all applicable state laws.

Amendment adopted. Ordered to Third Reading.

HB 553, relative to the Wentworth-Douglass Hospital charter. Ought to Pass with Amendment. Senator Charbonneau for the Committee.

SENATOR CHARBONNEAU: The reason for the amendment is that the original bill left out some of the statutes that the hospital is already operating under. The original bill spoke to the RSA in 1981 and there were amendments in 1987. So that the first part of the bill addresses the exact same thing except it also includes the 1987 amendments. HB 553 gives the Wentworth-Douglass Hospital the powers and privileges granted to other corporations by the provision of RSA 292 to amend its articles of agreement. RSA 292 is the statute that governs all non-profit organizations in New Hampshire. HB 553 will allow the Wentworth-Douglass Hospital to be treated the same as any other non-profit hospital in the state or non-profit organization in the state. I urge your support.

AMENDMENT TO HB 553

Amend the bill by replacing all after the enacting clause with the following:

1 Wentworth-Douglass Hospital.

I. The Wentworth-Douglass Hospital established as a body corporate and politic pursuant to 1981, 238:1-238:12 as amended by 1987, 141:1-141:6, acting through its board of trustees, shall have the powers and privileges granted to all other corporations by the provisions of RSA 292 to amend its articles of agreement. For the purposes of this act, the provisions of 1981, 238:1-238:12 as amended by 1987, 141:1-141:6, shall be deemed to be the articles of agreement of the Wentworth-Douglass Hospital.

II. Notwithstanding the provisions of paragraph I, no action may be taken by the board of trustees, to dissolve, liquidate, consolidate, merge or transfer all of the assets of the corporation to other

than an organization or organizations which are then organizations exempt from federal income taxation under the Internal Revenue Code, including but not limited to the city of Dover.

2 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

HOUSE MESSAGES

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 38, increasing the legal length of lobster; establishing a lobster management program and creating an advisory committee.

HOUSE CONCURS

SB 12, relative to the Uniform Gifts to Minors Law.

SB 34, nullifying the sunset termination of the port authority scheduled for July 1, 1989.

SB 49-FN-A, requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program.

SB 104, relative to land acquisition for the construction of a ramp on Route 3 at the Massachusetts border.

SB 135-FN, relative to student literacy.

SB 158-FN, relative to the sale of a manufactured housing park.

SCR 2-FN, recognizing the importance of recycling.

HOUSE REFUSES TO CONCUR

SB 169-FN, creating a committee to study school tax rates.

SB 179-FN-A, establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden.

SB 182, making appropriations to expand the nursing programs at the New Hampshire vocational-technical college - Claremont.

HOUSE REQUESTS CONCURRENCE WITH AMENDMENTS

(See House Journal for Amendments)

SB 47, authorizing a day for fishing without a license.

Senator Bond moved concurrence.

Adopted.

SB 197-FN, granting the bureau of fire safety the authority to regulate liquid propane gas pipeline safety.

Senator Dupont moved concurrence.

Adopted.

RECALL FROM COMMITTEE

Senator Roberge moved to recall HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts from the Enrolled Bills Committee.

Adopted.

RECONSIDERATION

Senator Roberge moved reconsideration of HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts.

Adopted.

Senator Roberge moved to place HB 458 on second reading at the present time.

Adopted.

Senator Roberge offered a floor amendment.

SENATOR ROBERGE: The amendment calls for changing the effective date from 60 days to shall take effect upon passage. I ask the members to vote yes.

Floor Amendment to HB 458

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

ENROLLED BILLS AMENDMENTS

HB 254-FN, establishing a study committee to examine issues relative to the great ponds in the White Mountain National Forest, access to public waters, and control and maintenance of public boat ramp sites.

SENATOR CURRIER: This amendment makes a correction in terminology.

Amend subparagraph II(e) as inserted by section 1 of the bill by replacing line 1 with the following:

(e) The director of the division of public works, department
Amendment adopted.

HB 99, relative to establishing a uniform fine schedule for fish and game law violations.

SENATOR CURRIER: This amendment corrects a clerical error by reinserting current statutory language.

Amend RSA 502-A:19-b, I as inserted by section 2 of the bill by replacing line 19 with the following:

given a notice of fine indicating the amount of [his] **the** fine plus penalty assessment at
Amendment adopted.

ENROLLED BILLS REPORT

SB 151, directing the commissioner of the department of transportation to complete New Hampshire Route 101.

SB 161, authorizing regional agreements for water resources management and protection plans.

SB 181, making technical changes in certain laws relating to dams.

SCR 3, establishing a National Veterans' Cemetery in New England.

HB 46, relative to applications for approval of plans for a waste disposal system which contain encroachment waiver requests.

HB 130, requiring certification of operators of pollution control facilities and relative to renewals of water works operator certificates.

HB 132, relative to the division of water supply and pollution control enforcement orders.

HB 244, allowing museums to obtain title to property loaned for an indefinite time.

HB 302, relative to the setting of the deer season.

HB 189, increasing the minimum wage law.

HB 477, relative to housing standards ordinances.

HB 497, relative to financial responsibility for hazardous waste accidents.

HB 537, authorizing the town of North Hampton to collect taxes for one 18-month accounting period.

HB 154, limiting the horsepower of motors on Upper Kimball Pond in the town of Chatham.

HB 489, relative to utility easements.

HB 565, relative to the state board of education.

HB 657, excepting certain landfills and other waste facilities from local junk yard regulation.

Senator Currier for the committee.

Adopted.

ANNOUNCEMENTS

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage and all titles be the same as adopted and that they be passed at the present time.

Adopted.

Third Reading and Final Passage

HB 401-FN, imposing a filing fee for registration of securities by coordination.

HB 467, relative to discharges of mortgages.

HB 66, relative to health maintenance organizations.

HB 377, relative to a statement of policy on pregnancy and repealing criminal penalties for persons performing abortions.

HB 457, relative to municipal regulation of forestry.

HB 553, relative to the Wentworth-Douglass Hospital charter.

HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts.

RECONSIDERATION

Senator Bass moved reconsideration of HB 377, relative to a statement of policy on pregnancy and repealing criminal penalties for persons performing abortions.

Motion failed.

Senator Dupont moved that the Senate be in recess until Thursday, April 20, 1989 at 1:00 p.m. for the sole purpose of introducing legislation, referring bills to committee, scheduling hearings and enrolled bills report.

Adopted.

Recess

Tuesday, April 18, 1989

Out of Recess.

INTRODUCTION OF HOUSE BILLS

Senator Dupont offered the following Resolution:

RESOLVED, that in accordance with the list in the possession of the Clerk, House Bills numbered 56-FN-A through 764-FN-A shall

be by this resolution read a first and second time by the therein listed titles, and referred to the therein designated committees.

Adopted.

First and Second Reading and Referral

HB 85-FN, relative to employer enrollment oversight and the New Hampshire retirement system and relative to eligibility for membership in the retirement system. (Insurance)

HB 86-FN, relative to employer remittances to the New Hampshire retirement system and relative to retirement contributions by certain legislative and constitutional officers. (Internal Affairs)

HB 87-FN, relative to group II accidental disability allowances. (Insurance)

HB 136-FN-A, relative to education in unorganized places. (Education)

HB 157-FN-A, relative to state ski operations at Mount Sunapee and Cannon Mountain and making an appropriation therefor. (Development, Recreation and Environment)

HB 166-FN-A, relative to capitol projects for the department of fish and game and authorizing a maintenance and construction crew for the fish and game department and making an appropriation therefor. (Capital Budget)

HB 173-FN-A, relative to the dedication of the Hampton State Beach lifeguard facility and making an appropriation therefor. (Capital Budget)

HB 215-FN-A, relative to fish and game search and rescue. (Finance)

HB 240-FN-A, establishing a shooting range study committee. (Development, Recreation and Environment)

HB 385-FN-A, making appropriations for vacation travel promotion and increasing the rate of the tobacco tax. (Ways and Means)

HB 436-FN-A, relative to sewage treatment funds and making an appropriation therefor. (Development, Recreation and Environment)

HB 439-FN-A, making an appropriation to the office of alcohol and drug abuse prevention and establishing a committee to review the expenditure of funds by such office. (Ways and Means)

HB 521-FN, regarding a state loan for the Monroe sewage treatment facility. (Finance)

HB 556, relative to the board of governors, and administrative board, and the commissioner of the department of postsecondary vocational-technical education. (Education)

HB 613-FN, relative to the method for granting supplemental allowances to New Hampshire retirement system members. (Insurance)

HB 654-FN, creating a committee to study what organizations may participate in the New Hampshire retirement system. (Insurance)

HB 56-FN-A, authorizing a collection program for unwanted pesticides in the possession of farmers and making an appropriation therefor. (Development, Recreation and Environment)

HB 100-A, making appropriations for capital improvements. (Capital Budget)

HB 103-FN, relative to motor vehicle laws. (Transportation)

HB 113-FN, to define certain police trainers as permanent policemen for retirement system purposes. (Insurance)

HB 120-FN, increasing the amount available for suggestion and incentive awards to state employees. (Executive Departments)

HB 200-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990, and June 30, 1991. (Finance)

HB 300-FN-A, relative to studying access to medical care for persons without health insurance and making an appropriation therefor. (Insurance)

HB 350-FN, relative to the unclassified personnel system and making an appropriation for a consultant fee. (Executive Departments)

HB 386-FN-A, relative to improving the financial status of impoverished children. (Public Institutions, Health and Human Services)

HB 398-FN-A, relative to the return of revenue to cities and towns and making appropriations therefor. (Internal Affairs)

HB 429-FN-A, relative to Medicaid expansion for low-income pregnant women and establishing a task force on low provider participation in Medicaid. (Public Institutions, Health and Human Services)

HB 433-FN-A, relative to a pool for environmental liability insurance and making an appropriation therefor. (Insurance)

HB 434-FN-A, relative to franchising and regulation of cable television systems and making an appropriation therefor. (Internal Affairs)

HB 518-FN, establishing a cost containment unit within the department of administrative services to administer the indigent defense eligibility and repayment program and making an appropriation therefor. (Internal Affairs)

HB 578-FN, relative to victim's assistance and compensation. (Judiciary)

HB 594-FN, to reinstate medical and surgical benefits for certain retired employees. (Insurance)

HB 764-FN-A, relative to state revenues and appropriations. (Ways and Means)

HB 57-FN-A, appropriating funds to the department of agriculture to continue work on the Eastern States Building. (Finance)

HB 58-FN-A, appropriation funds for inspection of apiaries and prevention of honeybee colony contamination. (Development, Recreation and Environment)

HB 88-FN, relative to weights and measures. (Development, Recreation and Environment)

HB 109-FN, relative to physicians and dentists in the department of health and human services and the department of corrections. (Executive Departments)

HB 250-FN, relative to the classified personnel system. (Executive Departments)

HB 251-FN-A, establishing a committee to study methods of promoting New Hampshire businesses and products overseas and making an appropriation therefor. (Interstate Cooperation)

HB 290-FN-A, to modernized the automation activities of the department of revenue administration and making an appropriation therefor. (Finance)

HB 374-FN-A, relative to the Head Start program and making an appropriation therefor. (Education)

HB 394-FN-A, establishing a state energy response commission. (Executive Departments)

HB 410-FN-A, relative to nursing scholarships and making an appropriation therefor. (Education)

HB 570-FN-A, establishing a forgivable teaching loan program and making an appropriation therefor. (Education)

HB 715, relative to a capital improvement plan; the capital budget; and a debt management plan. (Capital Budget)

ENROLLED BILLS REPORT

SB 17, allowing wetlands board authority to issue cessation orders pending a hearing.

SB 48, authorizing the sale of a certain parcel of state land to a water district.

SB 135, relative to student literacy.

SB 158, relative to the sale of a manufactured housing park.

SCR 2, recognizing the importance of recycling.

HB 54, adding a member to the water well board.

HB 184, relative to driving left of center of roadways.

HB 523, relative to a privilege for confidential communications between guardian ad litem and child.

HB 729, requiring labeling of solid and hazardous waste collection containers.

HB 377, relative to a statement of policy on pregnancy and repealing criminal penalties for persons performing abortions.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, April 20, 1989.

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Thursday, April 20, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Blaisdell in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

The Lord sure works in mysterious ways! I am happy! Let Us Pray. Happy Passover - as we turn to God for refreshment and strength. Let past failures be absolved by a newness of life as we strive for better things for others as well as ourselves!! We welcome Jessica Saltmarsh into the world.

Amen

Sen. Hough led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

HB 19, regarding the use of the hazardous waste clean up fund.

Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: The bill basically expands the authority of DES to utilize funds from the hazardous cleanup fund for enforcement. The amendment raises the number from \$75,000 to \$225,000 which was recommended by the department. We urge the Senate to adopt the committee report of Ought to Pass as Amended.

Amendment to HB 19

Amend the bill by replacing all after the enacting clause with the following:

1 Limit on Amount to be Used. Amend RSA 147-B:6, IV to read as follows:

IV. The division of waste management may use [moneys in] **up to \$225,000 per year from** the fund to pay for administrative **and enforcement** costs associated with the fund.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill permits funds in the hazardous waste cleanup fund to be used for enforcement costs in addition to the administrative costs currently covered. The bill authorizes the division to use up to \$225,000 per year for such purposes.

Amendment adopted. Referred to Finance (Rule #24)

HB 150-FN, authorizing the imposition of administrative fines for certain oil pollution control offenses and clarifying terminology in oil pollution control laws.

Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill is one of three or four bills that DevRec has considered this year which gives agencies administrative fining. There is an appeals procedure pursuant to Chapter 541-A. It will do two things, number 1 allow for better enforcement of our oil pollution control offenses and secondly, it will relieve, potentially, some of the burden on the courts. We urge your support on the committee motion of Ought to Pass as Amended.

Amendment to HB 150-FN

Amend RSA 146-A:11-b, II as inserted by section 3 of the bill by replacing it with the following:

II. Any operator, distributor, dealer, or broker who, or any wholesale terminal facility which [transfers or transports] **imports** or causes to be [transferred or transported] **imported** oil into the state, except those using oil pipelines, railroads, and highways to transport oil products between states other than New Hampshire or for international transport of oil products, shall be licensed under this chapter. The annual fee for the license shall be determined on the basis of \$.025 per barrel of oil [transferred] **imported** into this state during the license period. The license fee shall be computed at the point of entry of the oil into this state. The fee shall be paid monthly by the licensee to the department of safety and then deposited by the department of safety into the oil pollution control fund administered by the division of water supply and pollution control. Imposition of the fee shall be based on the records of the licensee

and certified as accurate to the department of safety. **The fee set in this paragraph shall not apply to 25 barrels of oil or less, when the oil is packaged in individual containers of less than one barrel.**

Amend RSA 146-D:3, II as inserted by section 10 of the bill by replacing it with the following:

II. Any distributor shall be **licensed and assessed** a fee of [\$.003] **\$.006** per gallon of oil [transferred or transported] **imported** [within or] into this state. This fee shall be in addition to any road toll paid pursuant to RSA 260:32, and shall be deposited in the oil discharge and disposal cleanup fund established under this chapter. **If the fund's balance becomes greater than \$10,000,000, the fund assessment fees provided for in this subdivision shall be discontinued and only re-established when the fund's balance is less than \$5,000,000. Any distributor who imports home heating oil which is subsequently sold as diesel fuel for the propulsion of motor vehicles, shall report the fuel as required in RSA 146-D:3, III. Any person purchasing home heating oil for diesel use and not declaring this intent to the distributor at the time of purchase shall be liable in the same manner as the distributor would be.**

Amendment adopted. Ordered to Third Reading.

HB 488, relative to regional cooperation on solid waste disposal.
Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill expands the authority to establish a solid waste district to include counties. Currently, towns can band together and it is felt that in some instances counties might benefit from forming solid waste cooperatives. We urge you to support this enabling legislation by supporting the report of the committee of Ought to Pass.

SENATOR JOHNSON: Senator Bass, can you assure me that if we pass this bill that provisions in this bill will fit into the other solid waste bills that are likely to come before this Senate?

SENATOR BASS: Yes, Senator Johnson. It was requested by DES. It amends the very Chapter 149m that creates and administers these. You never know for sure if the succeeding bills are going to blend perfectly with this one because the Senate may amend it.

SENATOR NELSON: I notice on the bottom of it it says that the selectmen are authorized to expend funds received from any source to establish. I was curious about that any source. It is wide open and

I usually don't see any in a lot of these pieces of legislation. To what does that refer, would that be taxpayers dollars?

SENATOR BASS: Yes, I would assume that would be the case, Senator.

Adopted. Ordered to Third Reading.

HB 680-FN, relative to review of studies on recycling uses for bottom ash.

Ought to Pass. Senator McLane for the Committee.

SENATOR MC LANE: This bill started out as a study and it turns out that there are numerous studies on the recycling use for bottom ash. That's bottom ash not fly ash that is used in incineration. There are six studies already underway at the University of New Hampshire and so really what the bill does is call for the Division to read these studies and come out with some sort of policy. Ash is an environmentally safe product. In fact, the sponsor likened it to the mercury in your teeth. Once it is stabilized you don't worry about it. It is used for gravel, paving roads and cinder blocks and if we are going into numerous incineration plants, it behooves this state to get studying on the ash.

SENATOR JOHNSON: Is the Department of Environmental Services going to be able to this within existing revenue sources?

SENATOR MC LANE: I gather that they will and they should. The studying of these reports is really what they should be doing if they are going to be dealing with this ash in any way. Perhaps, it is typical that we have added no new money to the program. But as I said before, it is a review of present studies, it is not a new study.

SENATOR JOHNSON: Can I be assured that they will not come back and ask for a new staff or an addition to their budget request in order to comply with this legislative mandate?

SENATOR MC LANE: I certainly couldn't make that assurance to you, Senator Johnson, but I assume that the fact that the department has accepted this means that they have the staff to go ahead with the review.

SENATOR JOHNSON: Senator McLane, I am looking now at the fiscal impact. Is it not at least a possibility that if this study is positive that the local governments can save money because they wouldn't then have to bury the ash and they could use it for a productive purpose?

SENATOR MC LANE: Absolutely, and exactly. And that is the hope of this review.

Adopted. Ordered to Third Reading.

HB 34, correcting the references in the law relating to the division of water resources. Ought to Pass. Senator Stephen for the Committee

SENATOR STEPHEN: This bill is a request from the Division of Water Resource. In 1986, part of reorganization the Water Resource Board was reorganized into the Water Resources Council and the Division of Water Resources. Both of these are under the Department of Environmental Services. In 1986, we gave the Director of Legislative Services the authority to go through the RSAs and make the necessary name changes. The authority expired with the printing of the 1986 session. All this bill does is go through and make the appropriate changes such as the Water Resource Board to the Division of Water Resources and it changes the reference from chairman to director.

Adopted. Ordered to Third Reading.

HB 445, recodifying certain water laws. Ought to Pass with Amendment. Senator Johnson for the Committee.

SENATOR JOHNSON: HB 445, this very thick document that I am now holding in my hand, is an outgrowth of a study committee of a couple of years ago recommending that the water laws be recodified and put into one cohesive form in the RSAs and that is what this is intended to do. I think it is important for you to know that this bill makes no substantive or policy changes, simply recasts existing water statutes into this form which you have before you. There is an amendment to the bill that corrects an issue that the Senate acted on earlier in this session, but it is in line with the notion that this bill makes no substantive policy changes in the water laws.

SENATOR NELSON: Senator Johnson, we just passed a bill a few minutes ago on HB 34 that was not at all contained in this was it?

SENATOR JOHNSON: Senator Nelson, alert as you usually are, is saying that we heard these two bills in tandem in the committee and I raised the same question and was assured that there is no incompatibility between these two bills.

Amendment to HB 445

Amend RSA 482:46 as inserted by section 1 of the bill by replacing it with the following:

482:46 Application of Statutes. The provisions of RSA 481:1-19, 482:85, and 482:91 shall apply to the facilities undertaken under the authority of this subdivision insofar as the same are not inconsistent with the provisions of this subdivision.

Amend section 1 of the bill by inserting after RSA 485-A the following new chapter:

CHAPTER 485-B FLOATING TIMBER

485-B:1 Detention for Damages. The owner of improved land may detain logs or timber of any kind lodged thereon by the waters of a river or stream until the damages occasioned to the land thereby, the expenses of the removal thereof, and the expenses of advertising the same are paid, or until the owner or person in charge of the logs or timber shall give bond to the person detaining same, with sufficient sureties, in a sum not less than double the value of the property detained to the satisfaction of the selectmen of the town wherein the detention occurs, or to the selectmen of some town adjoining, conditioned to pay all such damages, expenses and costs as may be recovered against him under the provisions of this chapter.

485-B:2 Bond by Nonresident. Whenever such bond is given by a person not a resident of the state, it shall contain an appointment of an agent or attorney within the state upon whom service of any notice or process whatever may be made.

485-B:3 Assessment of Damages. If the parties do not agree on the amount of damages occasioned by such logs or timber, the selectmen, or, if a majority of them are interested, 3 justices, may, on application of either party in writing, and after 10 days' notice in writing, assess such damages and expenses and make report thereof to the parties.

485-B:4 Appeal from Assessment of Damages. If either party is dissatisfied with the assessment, he may appeal therefrom to the superior court. The appeal shall be filed within 60 days and not after, in writing, signed by the party appealing or his attorney, setting forth the reasons of his appeal.

485-B:5 Notice of Appeal. Notice shall be given of such appeal and of the court at which it will be entered at least 14 days before the term at which it is to be entered.

485-B:6 Advertising. The owner of the land shall advertise all such logs and timber in September, annually, by posting notices describing the number thereof and the marks thereon at one of the most public places in the same and 2 adjoining towns, and by causing a like notice to be recorded by the town clerk.

485-B:7 Payment; Tender. On payment or tender of the damages and expenses agreed upon or assessed, or upon giving bond as provided in RSA 485-B:1, the owner of the logs or timber may remove the same at any time within 5 months after notice is posted and recorded as provided in RSA 485-B:6.

485-B:8 Forfeiture. If such logs or timber are not removed within 5 months, they shall be forfeited to the owner of the land, and he may convert them to his own use if they have been advertised as provided in RSA 485-B:6, and the owner of the land may recover his damages and expenses in an action on the case against the owner of the logs or timber or any other person putting the same into the river. If such damages and expenses have been previously assessed, such assessment shall be conclusive.

485-B:9 On Unimproved Land. If any logs or timber are lodged on the unimproved land of a person, he may detain the same until the damages occasioned thereby, and costs, are paid.

485-B:10 Removal Without Payment. If such logs or timber are removed by the owner or any other person, without payment or tender of such damages and expenses, he shall be liable to the owner of the land therefor, and for costs, in an action to be commenced within one year and not after.

485-B:11 Interfering With Logs. Any person wrongfully stopping any logs or timber of another, or preventing them from floating down any river or stream, or wilfully and fraudulently cutting out or destroying the marks on such logs or timber shall be guilty of a misdemeanor.

485-B:12 Larceny of Logs. Any person wilfully and fraudulently taking and carrying away, or otherwise converting to his own use, either personally or by others in his employment and under his control, any log or timber of another in any river or stream or on the banks or meadows adjoining the same shall be deemed guilty of larceny.

Amend the bill by replacing section 33 with the following:

33 Contingent Provision. If any act whose provisions conflict with those of this act becomes law, the director of legislative services is authorized to make any necessary reference changes, and any technical changes to the numbering in any bill sections or RSA sections inserted by this act as necessary to conform said sections to proper bill or RSA format. The provisions of any law enacted in the 1989 regular session which amend or repeal any provisions of law which are recodified by this act shall be deemed to supersede such recodified provisions and shall be incorporated into the laws recodified by this act. Any such changes shall be subject to the approval of the

president of the senate and the speaker of the house of representatives. The authority granted under this section shall not include the power to make any substantive changes and shall expire upon the printing of 1989 session laws.

Amend section 34 of the bill by inserting after paragraph XIX the following new paragraph:

XX. RSA 481:21, relative to stream flow gauging stations.

Amend the bill by inserting after section 31 the following and renumbering the original sections 32-35 to read as 33, 34, 35, and 36, respectively:

32 Reference Change. Amend RSA 481:32, I to read as follows:

I. Revenue to the state resulting from the leasing of state-owned dams for hydroelectric generation shall be credited to the fund established in RSA [481:30] **482:55** for the purpose of the retirement of bonds and notes authorized by RSA [481:31] **482:56**.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Nelson in the Chair:

HB 11-FN-A, relative to the payment of a claim against the state and making an appropriation therefor.

Ought to Pass. Senator Torr for the Committee.

SENATOR TORR: HB 11 makes an appropriation of \$73,205 to pay an award recommended by the State Board of Claims in the Dorothy B. Hartman vs. the Department of Public Works and Highways. The recommendation is by the State Board of Claims, the House has concurred with it, the Senate Finance has concurred with that recommendation and therefor recommend to the full Senate that they concur.

SENATOR BASS: Senator Torr, why does the fiscal note only say that it will cost \$50,000?

SENATOR TORR: The \$50,000 is the principle amount. The \$23,205 is the interest. This accident occurred back in the 1980's and actually it occurred, I believe on 93. There was an indication that it was a frost heave by the Department of Transportation. They were aware of it and didn't take corrective action until after the accident took place. They dug a boulder out of there about the size of Volkswagon which was the cause of the accident. And as an end result, the Board of Claims felt the responsibility was on the State of New Hampshire.

Adopted. Ordered to Third Reading.

HB 751, relative to state-issued bonds sold at discount.
Ought to Pass. Senator Podles for the Committee.

SENATOR PODLES: HB 751 relates to State issued bonds. It provides the mechanics for establishing a college savings bond borrowing program and it also provides the mechanics to permit the Treasurer to do this. These tax-free bonds work in a manner similar to the U.S. savings bonds and the increase in value is achieved at maturity but the yield is generally higher than the U.S. Bonds. There was no opposition to the bill and the committee recommends Ought to Pass.

SENATOR DISNARD: Senator, are you sure this is what you were dictated? Because there is a hearing on Monday on the Governor's proposal for bonds for students. I'm not doubting you but I am wondering if there are two bill saying the same thing?

SENATOR PODLES: Would it be HB 226 your bill? Because they did mention HB 226 which will be implemented. It would take in 226.

Adopted. Ordered to Third Reading.

COMMITTEE OF CONFERENCE REPORT ON HB 762-A

The committee of conference to which was referred House Bill 762-A, An Act making supplemental appropriations for fiscal year 1989 having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend PAU 03, 04, 03, 01, 01 as inserted by section 1 of the bill by replacing it with the following:

03 RESOURCE PROTECTION AND DEVELOPMENT
04 DEPT OF ENVIRONMENTAL SERVICES
03 DIV OF WATER POLLUTION CONTROL
01 WATER POLLUTION PROGRAM
01 POLLUTION CONTROL PROGRAM

STRIKE OUT	
90 STATE AID GRANTS	12,538,637
INSERT IN PLACE THEREOF	
90 STATE AID GRANTS	9,851,858
TOTAL	11,858,547
ESTIMATED SOURCE OF FUNDS FOR POLLUTION CONTROL PROGRAM	
STRIKE OUT	
GENERAL FUNDS	14,178,745
INSERT IN PLACE THEREOF	
GENERAL FUNDS	11,491,966
TOTAL	11,858,547

Amend the bill by replacing section 25 with the following:

25 Revised Revenue Estimates; 1989. The revenue estimates for fiscal year 1989 as inserted by 1987, 400:25 and amended by 1988, 254:84 are repealed and reenacted to read as follows:

400:25 Estimates of Unrestricted Revenue.

GENERAL FUND	1989
Beer	\$ 12,500,000
Board and Care	16,000,000
Business Profits Tax	140,300,000
Estate and Legacy Tax	28,000,000
Insurance	42,000,000
Interest and Dividend Tax	36,000,000
Liquor	52,000,000
Meals and Room Tax	81,000,000
Parks Income	5,400,000
Dog Racing	9,000,000
Horse Racing	1,500,000
Real Estate Transfer Tax	30,000,000
Telephone	9,800,000
Cigarette Tax	32,000,000
Utilities	8,000,000
Other	29,500,000
Courts	23,000,000
Savings Bank Tax	9,500,000
Total	\$565,500,000
HIGHWAY FUND	1989
Gasoline Road Toll	\$ 89,000,000
Motor Vehicle Fees	47,000,000
Miscellaneous	9,000,000
Total	\$145,000,000

FISH AND GAME FUND

Fish and Game Licenses	\$ 5,220,000
Fines and Penalties	60,000
Miscellaneous Sales	150,000
Indirect Costs	170,000
Total	\$ 5,600,000

Amend the bill by deleting section 23 and renumbering sections 24-26 to read as 23, 24, and 25, respectively.

*Conferees on the Part
of the Senate*

Sen. Blaisdell, Dist. 10
Sen. Hough, Dist. 5
Sen. Dupont, Dist. 6

*Conferees on the Part
of the House*

Rep. Palumbo, Rock. 10
Rep. Hager, Merr. 21
Rep. Gross, Merr. 16
Rep. Sytek, Rock. 20
Rep. Densmore, Graf. 3

Senator Blaisdell moved to adopt the Committee of Conference report.

SENATOR BLAISDELL: I would hope you would adopt the Committee of Conference report on 762. This is the supplemental budget that we have been working on. We are now paying our bills, we hope, with the direction from the Senate and the passage in the House. We hope you will concur. We want you to know that the Senate position on Sweepstakes stood. There is not one nickel in this bill on Sweepstakes being used. We did some adjusting, some revenue adjusting. They did theirs, we did ours and we think it is a good compromise, but the most important part is that the Senate position prevailed. Thank you.

SENATOR JOHNSON: Senator Blaisdell, I appreciate those comments there. My question is has the difference been ironed out primarily as a result of the House accepting the Senate revenue estimates?

SENATOR BLAISDELL: Yes, I would think that they accepted at least part of our revenue. We went down from \$142 million down to \$140 million. They came up from \$138 million to \$140,000 so it made a pretty good swap. We think that we have made the right decision. It's quite a game that we play between the Senate and the House, but we think we've accepted our responsibilities and our position prevailed.

SENATOR JOHNSON: Is it true, Senator Blaisdell, that we have some experienced players in the Senate?

SENATOR BLAISDELL: I think with the leadership in the Senate, I can tell you that the leadership of the Senate played a very important part in it. But I think the conferees on the part of the Senate held the wishes of this Senate especially on Sweepstakes, but a lot of the credit also goes to Senator Bartlett, the Senate President.

SENATOR BARTLETT: I would like to take this time to thank the conferees and they did a fine job. It took a little bit of time and there was quite a bit of pressure out there, but they did hold the position and with the help of Senator Blaisdell and Representative Palumbo they were able to come to a common ground and it didn't affect anyone's budget. And I think the State of New Hampshire is going to be the beneficiary and I would like to thank the members of the committee.

Adopted

COMMITTEE REPORTS

HB 370-FN, relative to collision coverage deductibles.
Ought to Pass. Senator Roberge for the Committee.

SENATOR ROBERGE: This bill will specifically take care of a very frustrating event which is that the insured driver is carrying adequate insurance, they are in an unfortunate accident where the at-fault driver is uninsured and identified and yet the insured responsible driver has to pay the deductible. Even after the repair, this bill would provide that if the insured carries collision as a component of their auto policy that they, in the event of an accident where the other operator is at fault and is uninsured and positively identified, then the insurance policy that insured driver has will provide the repair for the car with no deductible. I urge passage.

SENATOR JOHNSON: I appreciate this bill. How will my insurance company know about this and can I be assured that they will a) know about it and b) accept this, my insurance company coming from Texas?

SENATOR ROBERGE: You would report the accident and then if you had a deductible they would automatically cover the deductible. So you would not be at risk for any of the cost of repair.

SENATOR JOHNSON: How would they do it automatically if they didn't know about it? They would know about the accident, but how would they know that they should not deduct the deductible from my policy?

SENATOR ROBERGE: You would report the whole situation. If you know the identity of the uninsured driver that hit you or caused the accident, then you would report that as well and I assume that they would investigate and find out that person does not carry insurance.

SENATOR JOHNSON: My question really is how would my insurance company or any other insurance companies know about the provisions of this bill?

SENATOR ROBERGE: Through the investigation process.

Adopted. Ordered to Third Reading.

HB 375-FN, relative to long term care insurance for the elderly.
Ought to Pass. Senator Roberge for the Committee.

SENATOR ROBERGE: This bill came out of a study committee. It was designed with two issues in mind. Namely to promote long-term health care insurance and secondly to protect the interest of the public and long-term health care. It is something that is quite new. It may or may not be coming this year. However, with this bill the State of New Hampshire now has a framework in place so that the citizens of New Hampshire will be protected. Also, it is not too restrictive. If the insurance companies decide to really go full steam ahead on this type of insurance, New Hampshire will be one of the states in which they will write it. With this bill, the insurance commissioner has guidelines with which to write the specific rules he feels are necessary to cover various situations. We have given him a tree, now he can add the leaves through the rules he needs.

Adopted. Ordered to Third Reading.

HB 493, relative to insurance premium refunds.
Ought to Pass with Amendment. Senator Roberge for the Committee.

SENATOR ROBERGE: The Insurance Department supports HB 493. It is merely a correction of a mistake that was made in SB 291 in the last session. There was an error in 291 where this provision was put in the wrong statute. This is merely correcting the placement of that provision in the insurance statutes and covers the return of premiums to the insurance agent by the insurance company and sets a time limit for that return. I urge passage.

Amendment to HB 493

Amend RSA 402:81, II as inserted by section 1 of the bill by replacing it with the following:

II. Whenever an insurance contract is cancelled at the request of an insurance agent for nonpayment of premium, a refund shall become due to the insurance agent upon the effective date of the cancellation. The insurance company shall return any unearned premium to the insurance agent for the account of the insured within the appropriate period specified in paragraph I of this section. In the event that crediting of return premiums to the account of the insured results in a surplus over the amount due the insurance agent from the insured, the insurance agent shall refund such excess to the insured within 10 days of receipt of the return premium, provided, that no such refund shall be required if it amounts to less than \$1.

Amendment adopted. Ordered to Third Reading.

HB 708, relative to the Free Trade Agreement between the United States and Canada.

Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: This legislation brings us in accord with the Free Trade Agreement recently negotiated between our country and Canada, and the way we've brought into accord with it states that we shall share the information on corporations that we have in the Secretary of State's office with Canada and they will do likewise. And the change that we made to the original bill as it came over from the House mandated that the Secretary of State promote trade with Canada. And we simply amended it to say that the procedure promotes trade so that we wouldn't get into having to fund the Secretary of State to promote trade with Canada which we felt would take of itself.

Amendment to HB 708

Amend RSA 5:15-a as inserted by section 1 of the bill by replacing it with the following:

5:15-a Trade Agreement with Canada. The department of state, in accordance with the Free Trade Agreement between the United States and Canada, shall provide any corporate registration information necessary under RSA 293-A for the purpose of promoting business, labor and trade opportunities with Canada.

AMENDED ANALYSIS

This bill requires the department of state to provide any corporate registration information necessary under RSA 293-A for a Canadian corporation to obtain a certificate of authority to transact business in this state. The bill also requires the department of state to provide information for the purposes of promoting business, labor and trade opportunities with Canada.

Amendment adopted. Ordered to Third Reading.

HB 221, exempting health care facilities and personnel from liability when performing medical procedures at the request of a law enforcement officer investigating a crime.

Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill gives immunity to health care technicians in hospitals that perform tests on individuals that are in the custody of a police officer. The amendment basically prohibits them from performing any illegal tests, examinations, or procedure, insofar as the law enforcement agency or any employee thereof is concerned. Basically, this limits the liability of technicians in hospitals who are not a party to any potential law suit or tort law problem that would arise from having just simply been the person who performed the test at the direction of a law enforcement officer who had an individual in custody. We urge your adoption of the committee report of Ought to Pass as Amended.

Amendment to HB 221

Amend RSA 508:18, I as inserted by section 1 of the bill by replacing it with the following:

I. No health care facility, licensed physician, registered nurse, certified physician's assistant or qualified laboratory technician ordered by a law enforcement officer to perform a test, medical examination or procedure on a person in the custody of such officer, shall be held liable for any damage arising out of the performance of such test, examination, or procedure, if the test, examination, or procedure is performed with ordinary care. Nothing in this section shall be construed to legalize an otherwise illegal test, examination or procedure insofar as the law enforcement agency and any employee thereof is concerned.

Amendment adopted. Ordered to Third Reading.

HB 36, relative to library records confidentiality.

Ought to Pass with Amendment. Senator McLane for the Committee.

SENATOR MC LANE: This bill relative to library record confidentiality extends the right of privacy for records that are now in existence such as medical records, welfare records, personnel records that are now covered by the law. Library user records would be added to that list. As it is now, 38 states since 1970 have passed such a law. The policy of the state library and of libraries in general is that library records should not be open for others to read, that this is protected by the privacy law, but it is their statement that their policy would be more firm if were enacted in statute. An example was given by the Manchester City Library that the librarian received a letter from a lady saying "My husband has been acting strangely lately. Could you tell me what he has been reading?" And this would be very convenient for the librarian to say "Not only is it our policy that we do not open library user records to others, but it is the law." And so I would urge the acceptance of HB 36.

SENATOR TORR: I apologize. I was out of the chamber. What was the purpose of putting this bill in, again, Senator? Who really requested it?

SENATOR MC LANE: Representative Skinner, who is also a member of the library board, and it is the state library board that has requested it. Shirley Adamovich, the state librarian, appeared in testimony and as I say, it is a law that has been enacted in 38 states.

SENATOR HEATH: Senator McLane, I have been trying to resist because I didn't want to get into a long discussion on this, but I think probably the numbers aren't there. But you used the ludicrous example but is it fair to say that we also had testimony that the secret service prior to the Presidential visit was denied access to the Concord library for records that they wanted to help insure the safety of the President.

SENATOR MC LANE: I'm glad you asked that question. I did not mean to use a ludicrous example. There are serious examples for which there is a serious remedy. If the FBI, the secret service, or the local police chief has reason to request someone's library user card they are free to do so going through the court and obtaining a subpoena. That is the civil rights avenue that they would have to follow.

SENATOR HEATH: Senator McLane, it is my belief, and I wonder if you have information to the contrary, that the kind of question that was asked in this case about the secret service, they wanted to know who is reading a particular book or a particular number of books and

it would fall short of the information needed for the search warrant that would allow them access to that information. In other words, with this law in place would they not have, because of the test that you need to pass in order to get a search warrant, would they not have failed in their mission to get that information?

SENATOR MC LANE: I'm not sure of that. But I think this comes to a very important point and obviously you and I differ in the committee on this point. The question is whether the courts can be trusted with the constitutional right of privacy to include library user cards and if the FBI is going to come around and ask who is reading, and let me use a for instance, a biography of Castro, and think that that is the way they are going to shift through various people in this town, and the courts do not approve of that, then it is true the FBI would be denied the right to go through the library records. I think it comes down to a very important point. Are you what you read? Or are you what you are? And is evidence of what you read a very basic constitutional right of privacy or is this something that should be at the discretion of local police officers instead of the courts?

SENATOR HEATH: Senator McLane, would you hold that same constitutional high standard to those of us who are occasionally known to pack weapons and are protected under the second amendment?

SENATOR MC LANE: I believe that the gun laws of this state are adequate, that they adequately cover constitutional rights and the right to bear arms. This is not an amendment which would affect those rights. But it does affect something as important as what we can read.

Amendment to HB 36

Amend RSA 201-D:11 as inserted by section 3 of the bill by inserting after paragraph II the following new paragraph:

III. Nothing in this section shall be construed to prohibit any library from releasing statistical information and other data regarding the circulation or use of library materials provided, however, that the identity of the users of such library materials shall be considered confidential and shall not be disclosed to the general public except as provided in paragraph II.

Amendment adopted. Ordered to Third Reading.

HB 219, relative to filing deeds and instruments with the register of deeds. Ought to Pass. Senator Bass for the Committee.

SENATOR BASS: This bill requires that the deeds that are filed be suitable for reproduction so that it makes it easier for the registrar to process them and also incrementally raises all the copying costs and other costs associated with filing fees. We urge the Senate to adopt the committee report.

Adopted. Ordered to Third Reading.

HB 261, relative to dog licenses.

Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: This bill moves the two most common dog license fees up \$1.00. It basically sort of keeps up with inflation and the increased cost of taking care of dog problems. That money, as all the other money in dog licensure, goes to the towns.

SENATOR MAGEE: Is this a fee or a tax?

SENATOR HEATH: This is certainly not a tax and you might note that we cut down the House proposal from a huge increase. They wanted to move from \$3.50 to \$5.00 and we cut it down to \$4.50 with a savings of 50 cents to the license fee payer on one and from \$10.00 down to \$7.00, a savings of \$3.00 to the license fee payer. So we have actually done the taxpayer as well as the fee payer a service.

SENATOR BASS: Don't you think this bill is going to take an unfair bite out of dog owners?

Amendment to HB 261-FN

Amend the bill by replacing section 1 with the following:

1 License Fee Increased. Amend RSA 466:4, I to read as follows:

I. The fee for every license for a year or portion of a year shall be:

(a) [~~\$3.50~~] **\$4.50** for a neutered male or spayed female dog; provided, however, that the owner or keeper of such spayed female dog or neutered male dog shall furnish a certificate from the person performing the operation to the satisfaction of the clerk of the town or city in which such dog is owned or kept; or

(b) [~~\$6.00~~] **\$7** for any unneutered male or unspayed female dog.

Amendment adopted. Ordered to Third Reading.

HB 313 relative to the Carroll county attorney. Ought to pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: I talked to the Carroll County attorney and the members of the delegation and they have no objection. It basically enacts in law what is already been practiced. It limits the private practice of the Carroll County attorney and the amendment basically enacts it after this term expires because it is a long held principle of mine that we shouldn't change the rules in the middle of the game, but already the county attorney is not able to do the private practice that it prohibits so there is no real effect of it.

Amendment to HB 313

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect January 1, 1991.
Amendment adopted. Ordered to Third Reading.

HB 650-FN, relative to removing tax collectors.

Ought to Pass with Amendment. Senator Heath for the Committee.

SENATOR HEATH: It always give me great pleasure to deal with the removing of tax collectors. This actually eradicates all taxes and tax collectors. What this bill does, seriously, is it fills in the gap in our laws for the removal of tax collectors and the amendment clarifies the procedure. So the amendment basically was drawn and approved of by the Secretary of State so that if there is a tax collector that needs to be removed the process involving the DRA, Department of Revenue Administration, and the Secretary of State's office does it in a reasonable and organized way without a lot of debate whether the procedure means this or that and clarifies that procedure. Hopefully, we won't have to use this very often.

SENATOR DISNARD: Senator Heath, does the statute this will amend, or be added to, list the reasons a person may be removed from such a position or could it be an idea or something which the Department of Revenue might think up? Are specific reasons listed for probable cause?

SENATOR HEATH: Senator Disnard, I am ashamed to say that I cannot answer that question. I don't know the answer to that. I would hope that it would be specific reasons.

SENATOR JOHNSON: Senator Heath, isn't it true that most of our tax collectors are elected officials?

SENATOR HEATH: I don't know. Some are elected and some are appointed. I don't know if the majority are elected.

SENATOR JOHNSON: In any event, whether they be appointed or elected, isn't it true that we are giving the authority for removal of this appointed or elected official to some bureaucracy in Concord rather than the people who elected or appointed the tax collector?

SENATOR HEATH: We are and this is a very serious thing, and I had questions about that in the hearing, but the fact is that occasionally you run into a bad apple and you must have some method of doing that before the monies and the funds of the people of the towns and cities of this state have been absconded with or otherwise mishandled in a way that would hurt a great number of people.

SENATOR JOHNSON: But you share my concern about giving this authority then?

SENATOR HEATH: I do absolutely. And I would be the first one in hearing of abuse to support a measure repealing this legislation instantly. I think it is a delicate balance between the interest of the public when something starts to go wrong that you act quickly and decisively through some known method and the interest of the people who have elected someone and I suppose most cynically you might take the position that they deserve what they get and let them abscond with the funds or otherwise make poor investments on his own behalf. But I believe that this, if used in the spirit of the legislation, will work and if it is abused I would join you in repealing it in an instant.

SENATOR JOHNSON: Would it be true, Senator Heath, that injunctive relief might act a lot faster than the bureaucratic process that would naturally ensue from this legislation?

SENATOR HEATH: I think injunctive relief would add to confusion and reinventing the wheel continually. No, I think that this is perhaps the best solution, if it is handled right and if they share the true regard for an elected official as I think they do with the Department of Revenue Administration.

Amendment to HB 650-FN

Amend RSA 41:40, I(c) as inserted by section 2 of the bill by replacing it with the following:

(c) The commissioner shall review the audit findings and, if he deems necessary, shall schedule and conduct an adversarial hearing, in accordance with RSA 541-A, with the tax collector, the governing body and the accountants as parties to the matter. Within 10 days

after such hearing, written notification of any decision declaring the tax collector's position vacant, shall be sent, by registered mail, to the tax collector and to the governing body. All proceedings and related records shall be public and open for examination.

Amendment adopted. Ordered to Third Reading.

HB 728, relative to water conservation plumbing fixtures. Inexpedient to Legislate. Senator Heath for the Committee.

SENATOR HEATH: This basically, we felt, would be an administrative problem. And there was no clear, present danger or necessity for it so we found it Inexpedient to Legislate.

SENATOR MC LANE: Senator Heath, don't you think that there might be an instance, and I was thinking about the new developments at Loon, where their water pollution facility is rather over-taxed at this time where a community would want to make new developments put in those water saving toilets?

SENATOR HEATH: Yes, Senator, and I believe that any community can presently do that through the zoning procedure and I think I share some of your concerns, not so much as to what is happening now as to some of the potential future use and abuse of water supplies.

SENATOR MC LANE: Thank you very much. I wanted to be sure that they could be zoned in locally.

Adopted.

Recess.

Out of Recess.

Senator Dupont in the Chair.

HB 277-FN, to prohibit after-market tinting on windshields and on certain windows of motor vehicles.

Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This bill makes it a violation to sell, inspect or drive a motor vehicle registered in the State of New Hampshire with after-market tinting of windshields or windows to left or right of the driver. The bill does permit after-market tinting on the windshield on the vehicle with the strip not wider than 6 inches located at the very top of the windshield provided that the light transmittance of the strip is not less than 35% which is basically what the new automotive standard is coming out of the market tinting of vehicles. We recommend that the bill Ought to Pass.

SENATOR HEATH: If some family from Minnesota who's long dream has been to see the autumn leaves of New Hampshire and who because of the bright sun there have had their windshields tinted and they drive to New Hampshire having hotel reservations up in your district made for some two months and hard to get at that because of the beauty of your district and they enter New Hampshire, what is going to happen to them with these tinted windshields? Are they going to be arrested?

SENATOR CURRIER: If it is registered in this state, Senator. Out of state vehicles would not be subject to this statute, as I understand it.

SENATOR HEATH: Can you point the language out that discriminates between New Hampshire people and those from the republic of Massachusetts to our south who wouldn't be subject to such standards? Senator Currier, is it true as I read this section 3 "it shall be unlawful to drive on any way any motor vehicle registered in this state", does that mean that people from Massachusetts can do this with impunity in New Hampshire, but people from New Hampshire would be punished, arrested for doing the same activity that we allow Massachusetts persons to do?

SENATOR CURRIER: That is my understanding.

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 365, relative to automobile transporters.

Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This bill defines automobile transporter and automobile transporter stinger-steered and defines the length limitation of certain vehicle combinations. This bill was recommended by the Automotive Transporter Association in terms of confirming with the national standards. These vehicles, currently, are not allowed on New Hampshire roads because of their length and so forth. And these vehicles are built and designed in such a way that the stinger-steered vehicle, being a third wheel, is more closely defined to the road surface of the road and is a much safer vehicle in terms of transporting automobiles and the committee urges your support.

SENATOR JOHNSON: I rise in opposition to this bill and I think you ought to all understand what you are voting for today and I would like to have you understand a little bit of the history of what's been happening in the State of New Hampshire in recent years.

Most of you will remember just a couple of years ago, we had a bill that authorized under certain conditions an increase in the weight limit from 80,000 to 120,000 pounds. There is a bill pending somewhere along the line that is going to authorize an increase in the width of vehicles on our highways and I think it is going to be from 96 inches to 102 inches. We now have a bill that, yes, Senator Currier, this is supported by the Automobile Transporters Association and why shouldn't they? They are the direct beneficiaries of this bill. And what is going to happen is that we are going to add another 10 feet on the automobile transporters in New Hampshire. This is consistently done in the guise of all we're doing is bringing New Hampshire law into compliance with the federal statutes and every time I hear that my suspicion goes up because the chances are we are being sucked into something that may not be in the public interest in New Hampshire. I think it is time that this legislature remember that those of us who drive passenger vehicles have some rights on the New Hampshire highways also and that we should not continually concede our rights and our privileges on New Hampshire highways to the people who benefit directly from heavier trucks, longer trucks and wider trucks.

SENATOR CHARBONNEAU: Senator Johnson, with the cost of transportation today, don't you feel that it would be better for the consumer, that it would be less cost for the transportation of vehicles?

SENATOR JOHNSON: That is a point that we ought to consider, I appreciate that. But there is also another cost and it cannot be measured, perhaps as easily, but we are going to pay a cost, in my opinion, in safety on the highways. We are now, instead of having to pass this vehicle with its current length, it is going to be another ten feet. And would you further believe that although I don't have it in front of me now, there was a report in the press just a few days ago that out in the midwest they are now going not from single trailers, not from just double trailer, but from triple trailers. So next year, this legislature can be expected to have another innocuous sounding bill that would say everybody else is doing it, let us now on behalf of cost to the consumer have triple trailers on the highways of New Hampshire.

SENATOR DUPONT: I certainly am sympathetic to Senator Johnson's concerns having followed a number of trucks in my daily journey over here to Concord, but I just want to clarify to the Senate what we are talking about in the piece of legislation as I am familiar with it. I have spoken to several individuals about it because I had some concerns. What you are primarily talking about is there are trucks that are designed to haul cars that have been in accidents and behind those trucks they have a device that allows them to take an additional car towed with two wheels on the ground not with the two front ones up in the air. Basically, what has happened is that there are vehicles sold that are legal in the State of Massachusetts and Maine but they can't go through the State of New Hampshire. So if you go to Massachusetts and have a car transported up here by one of these transporters, when they get into the State of New Hampshire the car that they are towing behind the vehicle like a trailer is not legal for that vehicle to be in the state of New Hampshire, so they are just trying to bring all the New Hampshire laws into compliance with other communities because we have these vehicles going through the state. There are not a whole lot of them, but it is a concern to the people that do own the vehicles that they be allowed to be used in New Hampshire. So while I agree with Senator Johnson, it is not really going to impact the number, size of trucks in the state.

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Dupont in the Chair.

HB 505, relative to speed limits on state roads in towns.

Ought to Pass. Senator Currier for the Committee.

SENATOR CURRIER: This is basically enabling legislation which would, in fact, allow the towns to set speed limits on state roads in the various towns not to be less than 25 miles per hour. We urge your support.

SENATOR HEATH: Senator Currier, does this law apply to Massachusetts people, or is this another one that is just for New Hampshire?

SENATOR CURRIER: This applies to all people, Senator.

Adopted. Ordered to Third Reading.

HB 528, relative to learners' permits.

Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: The amendment is on the last page, it simply changes the effective date to January 1, 1990. The change in the law itself under the main body of the bill indicates that unlicensed drivers under the age of 18 must be accompanied by a parent, legal guardian or responsible adult 25 years of age or older as driving instructors.

SENATOR DISNARD: Does this mean that Plymouth State or Keene State College or some other educational institution of this state who graduates a student, is trained in driver education perhaps he entered college at the age of 17 and he is 21 or 22 when he leaves that he or she when he leaves receives a certification from the state of New Hampshire would be unable to teach driver education?

SENATOR PRESTON: It says "or who is a licensed driver or certified driving instructor".

SENATOR DISNARD: It also says "25 years of age or older".

SENATOR PRESTON: But it also says "or". I asked that very specific question, Senator; and the Department of Safety and the person said that if they are a certified instructor it does not include them. I asked that same question, so the legislative intent is not to remove them but to allow them.

SENATOR DISNARD: I listened to you and I can read and what I read is "25 years of age or older". And I am concerned that the youngster pays his money, is certified to teach driver education and all of a sudden he is hired and the school district finds out he has lost his job.

SENATOR PRESTON: If you would like to move to place it on the table to correct the language or wait for enrolled bills, I await your pleasure.

SENATOR DISNARD: I move that HB 528 be placed on the table.

Senator Disnard moved to have HB 528 Laid on the Table.
Adopted

COMMITTEES VACATED

Senator Podles moved that HB 578 be moved from the Judiciary Committee to the Public Institutions, Health and Human Services Committee.

Adopted.

Senator Preston moved that HB 173 be moved from the Transportation Committee to the Capital Budget Committee.

Adopted

ENROLLED BILL REPORT

HB 38, increasing the legal length of lobster; establishing a lobster management program and creating an advisory committee.

HB 151, continually appropriating revenue from certain OHRV fines.

SB 6, extending the statute of limitations for certain fish and game offenses.

SB 12, relative to the Uniform Gifts to Minors Law.

SB 34, nullifying the sunset termination of the port authority scheduled for July 1, 1989.

SB 47, authorizing a day for fishing without a license.

SB 199, relative to the revocation or suspension of fish and game licenses.

HOUSE MESSAGES

VETO MESSAGES

HOUSE SUSTAINED GOVERNOR'S VETO

HB 377 relative to a statement of policy on pregnancy and repealing criminal penalties for persons performing abortions.

HOUSE ADOPTS COMMITTEE OF CONFERENCE REPORT

HB 762-A, making supplemental appropriations for fiscal year 1989.

ENROLLED BILLED AMENDMENTS

HB 148-FN, relative to relocation assistance and real property acquisition.

Senator Currier for the Committee

SENATOR CURRIER: This amendment corrects the section numbers in the bill. This amendment also redesignates certain paragraphs to conform to RSA format and inserts an omitted word.

Enrolled Bill Amendment to HB 148-FN

Amend RSA 124-A:6 as inserted by section 1 of the bill by replacing lines 5-11 with the following:

I. Recording fees, transfer taxes and similar expenses incidental to conveying such property;

II. Penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record as provided by law on the date the acquiring agency approves the location of such project; and

III. The pro rata portion of real property taxes paid which are

Amend paragraph III of section 3 of the bill by replacing line 1 with the following:

III. RSA 21-L:12, V, relative to rulemaking authority for application

Amend the bill by renumbering sections 3 and 4 to read as 2 and 3, respectively.

Amendment adopted.

RESOLUTION

Senator Torr moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage, all titles be the same as adopted, and that they be passed at the present time.

Adopted.

THIRD READING AND FINAL PASSAGE

HB 150-FN, authorizing the imposition of administrative fines for certain oil pollution control offenses and clarifying terminology in oil pollution control laws.

HB 488, relative to regional cooperation on solid waste disposal.

HB 680-FN, relative to review of studies on recycling uses for bottom ash.

HB 34, correcting the references in the laws relating to the division of water resources.

HB 445, recodifying certain water laws.

HB 11-FN-A, relative to the payment of a claim against the state and making an appropriation therefor.

HB 751, relative to state-issued bonds sold at discount.

HB 370-FN, relative to collision coverage deductibles.

HB 375-FN, relative to long term care insurance for the elderly.

HB 493, relative to insurance premium refunds.

HB 708, relative to the Free Trade Agreement between the United States and Canada.

HB 221, exempting health care facilities and personnel from liability when performing medical procedures at the request of a law enforcement officer investigating a crime.

HB 36, relative to library records confidentiality.

HB 219, relative to filing deeds and instruments with the register of deeds.

HB 261, relative to dog licenses.

HB 313, relative to the Carroll county attorney.

HB 650-FN, relative to removing tax collectors.

HB 277-FN, to prohibit after market tinting on windshields and on certain windows of motor vehicles.

HB 365, relative to automobile transporters.

HB 505, relative to speed limits on state roads in towns.

Senator Torr moved that the Senate be in recess until Tuesday, April 25, 1988 for the sole purpose of receiving House Messages and Enrolled Bill Reports.

Adopted.

Thursday, April 20, 1989

Out of Recess.

Senator Torr moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Tuesday, April 25, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Senator Torr moved to adjourn.

Adopted.

Adjournment

Tuesday, April 25, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Dupont in the chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Almighty Father, we thank You for the gift of Thy dear Son - for whom the orthodox Churches celebrate their Holy Week in preparation for their date of Easter! May we also give thanks to Him as we celebrate His gifts to us every day of our lives.

Amen

Senator Hough led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

HB 758-FN, relative to impact fees.

Ought to Pass with Amendment. Senator Bartlett for the Committee.

SENATOR BARTLETT: For the record, HB 758-FN had a full and sufficient hearing last Thursday. It went for about 5 hours. It became very clear after the first half hour, that a piece of legislation that was sent over to us that was supposedly to have guidelines and methods of implementing an impact tax did not meet the requirements that this Senate would wish to have. The Speaker and I early on agreed that legislation should have definition and should be understandable and be able to be put into place without the test of court and attorneys. This bill was not drafted in that manner. And as the speakers spoke, each one seemed to interpret how the impact tax could be implemented. As different interpretations went on, it was obvious to the committee that further study was necessary and we have proposed the amendment on page 7 which deals with a committee that reports back in November of this year and will decide whether impact fees or taxes are the best way to go and, if so, bring forth a set of guidelines that can be put forth without legal interpretations and tests of court. Therefore the committee rules Ought to Pass with Amendment.

SENATOR BASS: Senator Bartlett, on section 6, which is the report, it says that they will provide any recommendation to the legislature for the 1990 session. And that do you construe to mean that

we will be able to entertain any legislation on the subject of impact fees? That's my first question, and my second question is will that allow any member of this body to introduce legislation on the subject of impact fees regardless of whether or not it is the recommendation of the committee?

SENATOR BARTLETT: Senator Bass, as my interpretation that this legislation, whatever the committee decides, will come forth with legislation and if they decide not to do so, obviously wouldn't come forth with it. I don't believe under our joint rules that the changing and forming of committee prohibits the introduction of impact fees in the legislation of next session.

Amendment to HB 758-FN

Amend the title of the bill by replacing it with the following:

AN ACT

to establish an impact fee study committee.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established. There is hereby established an impact fee study committee to review the provisions of HB 758-FN, as amended by the house during the 1989 legislative session, and related issues. The committee shall make recommendations relative to an equitable manner in which to address those issues by balancing the needs of municipalities and the rights of our citizens relative to assessing impact fees on developers, and relative to methods for municipalities to adopt, file, and implement impact fees.

2 Membership.

I. The committee shall be composed of the following members:

(a) Three representatives, appointed by the speaker of the house.

(b) Three senators, appointed by the president of the senate.

(c) The president of the New Hampshire Municipal Association.

(d) The president of the New Hampshire School Boards Association.

(e) The president of the New Hampshire Home Builders Association.

(f) One member of a regional planning commission or council, selected by the chairman of and in consultation with the members of the New Hampshire Association of Regional Planning Agencies.

(g) The director of the office of state planning.

II. The representative of the associations listed in subparagraphs I(c)-(f) shall be those persons in office on the effective date of this act, and such persons shall continue to serve as study committee members regardless of any change in their affiliation with their respective association.

III. Only the legislative members of the committee shall be voting members. Decisions shall be reached by a simple majority of the voting members present and voting.

IV. The chairman of the committee shall be the first representative appointed by the speaker of the house.

3 Appointments; Meetings. The appointments of the members in section 2 of this act shall be made within 30 days of the effective date of this act. The committee shall meet at such times as the chairman shall designate.

4 Compensation. Members of the committee shall serve without compensation, except that the legislative members of the committee shall receive legislative mileage for all committee-related work.

5 Office of State Planning. The office of state planning shall provide the technical assistance and secretarial support required by the committee.

6 Report. The committee shall file a report with the president of the senate and the speaker of the house on or before November 1, 1989. The report shall include, but shall not be limited to, the committee's findings relative to its review of HB 758-FN as amended by the house, related issues concerning impact fees, and any recommendations for legislation for the 1990 session of the general court.

7 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a study committee to review the provisions of HB 758-FN, as amended by the house, relative to assessing impact fees as well as related issues. The committee must submit its report, together with any proposed legislation, on or before November 1, 1989.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 341-FN, relative to cosmetologists and pedicurists.

Inexpedient to Legislate. Senator Johnson for the Committee.

SENATOR JOHNSON: The testimony at this hearing was rather mixed on this issue, but what was clear was that manicurists are now permitted to work on people's nails whether they be toes or feet. Cosmetologists are also permitted to do that under New Hampshire licenses. Subsequent to the hearing, I spoke with the owner of the Concord Academy of Hair Design where I often get my hair cut and she told me that a lot of the people who work in the area of cosmetology are uncomfortable with this issue and didn't really feel that this bill was necessary.

SENATOR NELSON: Senator Johnson, is there any law in this state now that allows pedicurists to perform that work?

SENATOR JOHNSON: People who are manicurists today are allowed under New Hampshire licensure laws to work on nails.

SENATOR NELSON: Let me be more specific then. In my area down in Nashua, there a lot of people who are supporting having pedicurists and they are under the impression that if you cut fingernails, you cannot cut toenails and cannot take care of toenails and that is what we are talking about. I just want to make sure with your answer.

SENATOR JOHNSON: The current law allows people, manicurists and cosmetologists, to work on people's nails.

SENATOR NELSON: Then that is the reason why pedicurist is not being inserted because they now can have that authority already under the law.

SENATOR JOHNSON: The law permits cosmetologists and manicurists to work on nails.

Adopted.

HB 629-FN, relative to gravesites.

Ought to Pass with Amendment. Senator Bass for the Committee.

SENATOR BASS: This bill basically clarifies the statute regarding new construction around known burial sites. The amendment eliminates the so-called fifty foot buffer zone and it also changes the word shall to may in the recording section regarding notations on the tax map. We urge the body to support the motion Ought to Pass with Amendment.

Amendment to HB 629-FN

Amend RSA 289:2-a, II as inserted by section 1 of the bill by replacing it with the following:

II. No new construction, excavation, or building shall be conducted on a known burial site or within the boundaries of an established graveyard, whether or not such burial site or graveyard was properly recorded in the deed to the property, except when such construction, excavation, or building is necessary for the construction of a public improvement, as approved by the governing body of a city or town, or in the case of a state highway, by the commissioner of the department of transportation.

III. Nothing in this section shall be construed to conflict with RSA 290, local ordinances, or cemetery rules concerning burials and disinterments of human remains.

Amend the bill by replacing section 2 with the following:

2 Recording of Old Gravesites. Amend RSA 289:4 to read as follows:

289:4 Cemetery Records. The selectmen, person, association commissioners, **cemetery trustees**, or other body charged with the responsibility of operation and administration of any cemetery **under their control**, shall keep a record of every burial [in any cemetery under their control,] showing the date of burial and name of the person buried, when these particulars can be obtained, and the lot, plot, or part [thereof] **of such plot or lot**, in which the burial was made. **Such records shall also be kept of every private burial site within a municipality and the location of each private burial site may be annotated on the municipal tax map.** A copy of such record, duly certified, shall be furnished to any person on demand and payment of a fee of \$.50. The fee shall be for the use of the person issuing the certificate.

AMENDED ANALYSIS

This bill prohibits new construction, excavation, or building on known burial sites or within the boundaries of established graveyards, except for construction, excavation, or building of a public improvement.

The bill requires that records be kept by municipal officials or municipal cemetery officials concerning private burial sites.

Amendment adopted. Ordered to Third Reading.

HB 644-FN, enabling cities and towns to adopt an optional veterans exemption.

Inexpedient to Legislate. Senator Johnson for the Committee.

SENATOR JOHNSON: I would like to be recognized for a substitute motion. The substitute motion being to lay HB 644 on the table.

Senator Johnson moved to have HB 644-FN Laid on the Table.

Adopted.

HB 94-FN, relative to pre-admission screening for nursing homes.
Ought to Pass. Senator McLane for the Committee.

SENATOR MC LANE: Representative Parks, who was the speaker for the House committee on this bill, said "We have no choices. When an individual enters a nursing home, they will be on Medicaid in 11 months." This bill was put in at the request of the Division of Human Services. It changes from 6 months to 12 months the time that people would be pre-screened for going into nursing homes.

Adopted. Ordered to Third Reading.

HB 96-FN-A, increasing the personal needs allowance and making an appropriation therefor.
Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 96 increases the personal needs allowance for residents of nursing homes and community residents in order to meet federal requirements. The allowance pays for the very simple needs that the residents have in these homes that government doesn't supply. Simple things, but necessary to them, like hair cuts or purchase of newspapers. The amount of increased allowance is to be determined by the Director of Division of Human Services, but will not be less than \$40.00 a month, so that is an increase of \$5.00. And the funding is already in the Division's budget for 1990 and 1991.

Adopted. Referred to Finance (Rule #24)

HB 237, relative to eviction of tenants with AIDS.
Ought to Pass. Senator Krasker for the Committee.

SENATOR KRASKER: HB 237 will make it an unlawful practice to evict a tenant solely and, that is the key word, solely, because the tenant has AIDS or is thought to have AIDS. It does this by adding a provision to the statute on unlawful discriminatory practices which is subject to investigation by the Human Rights Commission. It

doesn't take away discretion from landlords to evict people from apartments. It simply states that AIDS can't be sole basis for eviction. There have to be other causes and if you will indulge me for just a minute, I will give you some information to show you the need. While the need for this legislation did arise from a specific case, this disease will increasingly become part of the fabric of life in New Hampshire. It is estimated that between 175 and 300 persons will be alive and living in New Hampshire by the end of 1992 and while we have not had problems with housing discrimination so far, that doesn't mean we will not have it in the future and so this bill, I urge your adoption of this bill, which addresses this problem.

SENATOR NELSON: Senator Krasker, I wondered is there a problem in the state of New Hampshire with AIDS people getting evicted number one and number two what about other diseases, I mean is there a law on the books now that protects people who are handicapped or have tuberculosis or cancer and we are just adding this?

SENATOR KRASKER: There is a statute now dealing with unlawful discriminatory practices and illness is one of the enumerations within this statute. The feeling was that there is so much misunderstanding about AIDS. There are people who think that if you touch something handled by someone who has AIDS you can catch it. Or if you live in an apartment that was occupied by someone who has AIDS, then by breathing the air you can get it. As I said, we have not had many problems. There have been some where people have been evicted for this reason, but it will become a problem as more people have it and the hard thing is these people are at the end of their lives if they have AIDS and they literally have no place to go if they are evicted.

SENATOR NELSON: Senator Krasker, thank you for your patience. I want to know specifically this - in the statute are there other diseases mentioned for eviction and we are inserting AIDS now?

SENATOR KRASKER: No. We are specifying. You're quite right, we are.

Adopted. Ordered to Third Reading.

HB 396-FN, relative to the board of examiners of nursing home administrators and to licensing nursing home administrators.
Ought to Pass. Senator McLane for the Committee.

SENATOR MC LANE: This bill concerns the nursing home administrator licensing laws. The vice-chairman of the board and Ken Tarr wrote a letter in support of this legislation. It now means that this licensing board will get \$50.00 for their monthly meeting, doctors get \$100 I noticed, but the administrators are now required to have a bachelor's degree. The nursing home business as has been said before today, is getting more and more costly, more and more important, and more and more complicated and it was the feeling of the committee that this bill, requested by the Department of Public Health, was a good idea.

Adopted. Referred to Finance (Rule #24).

HB 502, relative to disclosure of mental health information.
Ought to Pass with Amendment. Senator Krasker for the Committee.

SENATOR KRASKER: HB 502 authorizes mental health centers and state facilities providing services to seriously or chronically mentally ill clients to disclose limited and very specific information to a family member or other person with whom the client lives and who is providing direct care. The amendments were carefully drafted to protect the right of confidentiality for mentally ill adults who are legally competent and still provide needed information to family members who are providing care. Information that may be disclosed is limited to, first, the name of the medication prescribed. Second, the side effects of any prescribed medication to be taken by the client and third, the behavioral or physical manifestations which would result from failure of the client to take the prescribed medication. Written notice of the request for information must be provided to the client requiring signature of the client indicating consent or refusal to consent to the disclosure of the information.

Amendment to HB 502

Amend RSA 135-C:19-a as inserted by section 1 of the bill by replacing it with the following:

135-C:19-a Disclosure of Certain Information. Notwithstanding RSA 329:26 and RSA 330-A:19, a community mental health center or state facility providing services to seriously or chronically mentally ill clients may disclose only the following information: (a) The name of the medication prescribed; (b) The side-effects of any prescribed medication to be taken by the client; and (c) Behavioral or physical manifestations which would result from failure of the client to take such prescribed medication.

II. There shall be a written notice provided to the client containing the following: (a) That a request was made by a family member or other person with whom the client lives; (b) The name of the person requesting the information; (c) The specific information requested; and d) The reason for the request. The client shall sign the notice to indicate his consent for the disclosure or his refusal to consent to the disclosure.

III. When prescribed medications or dosages are changed by the client's physician and the family requests disclosure under paragraph I, the disclosure procedure required under this section shall be re-initiated.

AMENDED ANALYSIS

This bill authorizes mental health centers and state facilities providing services to seriously or chronically mentally ill clients to disclose certain information relative to the client's treatment. The bill requires the center or facility to give the client written notice and to obtain the client's signature.

Amendment adopted. Ordered to Third Reading.

RECONSIDERATION

Senator Bond moved reconsideration of HB 531, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places.

Adopted.

Senator Bond offered a floor amendment.

SENATOR BOND: Several weeks ago we passed to third reading and final passage HB 531. Subsequent to our passing, legislative services discovered that one section was in conflict with other legislation, HB 119, and at my request has structured an amendment which eliminates the conflict with the other bill and the amendment which you have in your hand is purely technical. This bill, as you will recall, allows the county to act in the municipal affairs of the unincorporated towns of which I have 22, Senator King has 1 and Senator Heath has 1. I would urge that you adopt this amendment so that the bill can go back to the House for concurrence and final passage.

Floor Amendment to HB 531-FN

Amend the bill by replacing section 24 with the following:

24 New Paragraph; Unincorporated Towns and Unorganized Places. Amend RSA 674:52 by inserting after paragraph VI the following new paragraph:

VII. The local legislative body of a county in which there are located unincorporated towns or unorganized places shall determine the manner in which and whether the codes listed in paragraph I shall be adopted by reference.

Amendment adopted. Ordered to Third Reading.

Senator King moved that HB 177 authorizing local authorities to reduce the speed limit in business and urban residence districts be removed from the Table.

Adopted

Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: The reason that this bill was laid upon the table was because there were some questions from several House members regarding the amendment to the bill and the bill itself. Those questions have since been resolved and the committee recommends that we accept the amendment which is essentially that we include the contents of a bill that we passed earlier in this session, which allows selectmen in a town, after a comprehensive study of a certain road, to lower the speed limit on that road to no lower than 25 miles per hour rural districts and commercial districts. HB 177 dealt with commercial districts. All we did was, so that we would save the taxpayer some money and save us the headaches of committees of conferences, we took the contents of a bill earlier in the session that did the same thing on rural roads and added it to this bill so that I told the House to go ahead and kill the first bill which had my name on it, so we weren't stepping on anybody's toes except my own. Our committee recommends the adoption of the amendment and the passage of HB 177.

SENATOR PRESTON: I concur with what Senator King has said and that this is essentially the committee report with amendment and I urge your support.

Amendment to HB 177

Amend the bill by replacing section 1 with the following:

1 Speed Limits in Districts. Amend RSA 265:63, I to read as follows:

I. Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that

the prima facie speed permitted under this chapter is greater or less than is reasonable and safe under the conditions found to exist upon a way or part of a way, the local authority may determine and declare a reasonable and safe prima facie limit thereon which:

- (a) Decreases the limit at intersections; or
- (b) Increases the limit within an urban district but not to more than 60 miles per hour; [or]
- (c) Decreases the limit outside an urban district but not to less than [30] 25 miles per hour[.]; or
- (d) Decreases the limit within any business or urban residence district but not to less than 25 miles per hour.**

AMENDED ANALYSIS

This bill authorizes local authorities to decrease the speed limit in business or urban residence districts or outside urban districts, but not to a limit less than 25 miles per hour.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Blaisdell in the Chair.

Senator King moved that HB 232 relative to authorizing the prepayment of taxes be removed from the Table.

Adopted

Ought to Pass with Amendment. Senator King for the Committee.

SENATOR KING: The original committee amendment on HB 232 is found on page 6 of Senate Calendar number 27. That committee amendment does two things. The first thing that it does is what you have contained in the amendment that Senator Heath handed out which allows the legislative body itself to also make a determination about the prepayment of taxes. The other thing that it does is it sets up a study committee composed of a number of different people, school board members, selectmen, town counselors, aldermen, somebody from the municipal association, somebody from the governor's office and a Senator and a Representative to take a look at mandates that are imposed upon communities by the State of New Hampshire. As you know, in the State of New Hampshire property taxes rose 23%. Rightly or wrongly, many people in the state of New Hampshire, many of our citizens feel that part of the problem with property taxes is attributable to some of the unnecessary mandates that are imposed upon communities by the State of New Hampshire. The charge of this committee, which is composed mostly of individ-

uals who have to deal on a day to day basis with these mandates, is to take a look at the mandates that are brought by the state to the cities and towns and to make some recommendations about which of those mandates might be repealed and which of those mandates might be modified in some way so that we could provide some modicum of property tax relief to property taxpayers in the State of New Hampshire. Now earlier today, we had the issue of impact fees come before us, and we sent that to a study committee and as near as I can determine the one means that we had available to us this year for doing something about the property tax problems that a lot of people are laboring under in our state was impact fees. Because we didn't do anything about that, I am asking that we at least show some respect for the citizens of the State of New Hampshire and appoint this committee that will take a look at the mandates imposed upon our communities, such as the amount of acreage that is required to build an elementary school which can tack 2 to 3 hundred thousand dollars on to what a community has to spend to build a school when it is totally unnecessary. That we take a look at those things and try and figure out some of those mandates that we might be able to repeal that would make life a lot easier for our taxpayers and our communities.

SENATOR MC LANE: Senator King, on page 7 at the top, number 3, "make recommendations for.." There were some words taken out by the committee. Can you recall for me what those words were?

SENATOR KING: Two words - for funding. Initially, the idea behind this amendment was to take a look at all of the mandates that we put upon local communities and to determine which of those ought to be funded and which of them ought to be repealed. The result of this came from a meeting that I had with the Governor shortly after the tax cap issue was laid to rest and the Governor and I talked about areas of agreement on how we might provide property tax relief for citizens and the one area that we seemed to agree on was that it was worth taking a look at mandated programs in the State of New Hampshire, mandates imposed upon communities. And for a committee of people who were involved in the issue on the local basis to make recommendations about what we ought to fund and what we ought to repeal. Now it makes perfect sense, because those recommendations don't have to be followed through. But that we at least allow this committee to do its work and then we can sit around in our roles as Senators and Representatives in the House and consider what we ought to do about those mandates. Now the Senate committee was uncomfortable with leaving the words funding in there because they were afraid it might imply that we expected that they

would make recommendations on every mandate to fund them or repeal them and so the suggestion was made that instead we say to determine whether they should be repealed or whether they should be altered in some way, now altered meaning that they could be made voluntary for example.

SENATOR MC LANE: Do you think it is a little odd for a committee to study all mandated programs and then to tie one hand behind their back by saying the only recommendations that you can make are either to repeal or modify these programs?

SENATOR KING: Senator McLane, I think there is some truth to what you are saying. On the other hand, first of all they are going to be identifying the mandates upon communities. If there are some clear, glaring examples of areas where we are mandating things to communities and not providing funding you are free in the next session of the legislature from that study to then propose that we fund that program. But we felt that given the fact that there was objection by Senator Dupont and people like that about us opening ourselves up to lawsuits regarding state mandates that we probably should not include the word funding. So that it was clear that we wanted to take a look at the mandates and then make a determination after that what we ought to do about those.

SENATOR MC LANE: Let me ask a very simple example. State law now says that all school buses have to be painted yellow. That is a state mandate. You are asking this committee to study that law and then you are asking them to modify it or repeal it. But you are not going to verify the fact that this is perhaps a valid mandate and that it should be funded.

SENATOR KING: If the committee determines, Senator McLane, that it is a valid mandate then they would not recommend it to be modified or repealed, that's the first issue. The second issue is that one of the reasons that we have a problem providing any kind of property tax relief to citizens of the State of New Hampshire is that there is no general agreement about how we do that. Everybody in this room has a different idea about how we might do that, so it seems to me that the first step that we ought to take is to take a genuine look at what programs we are forcing upon cities and towns that are unnecessary. And so that is the logical, conservative first step to take in order to provide property tax relief. However, that kind of a study will, indeed, produce some information for people who think that we ought to further fund certain mandates that we provide and then they can take action from there.

SENATOR DISNARD: Senator King, are you aware, and this figure may astound you, that a school district in the State of New Hampshire between state and federal and negotiated items in the labor relations laws, there is less than 7 or 8 percent of local decisions as to what they can spend. The other 90 or 92 percent are mandates?

SENATOR KING: Senator Disnard, I wasn't aware that it was that astoundingly high, but I did know that a lot of people feel that it is extraordinarily high.

SENATOR HEATH: It is not often that I rise to object to an amendment that I participated in, but I do that and I have a floor amendment that I will speak of later as a substitute. I think that the committee at the time that this amendment became the committee amendment thought a little more information, why not? And later we began to think of the consequences of that and the consequences are enormous. This is a bill that is much more worthy of being a subject itself of a bill that had passed the House and the Senate. It is a bill that has consequences in an on-going procedure that the courts are best able to deal with. It is a committee that, if it were established, could not possibly fulfill its mandate. It is too enormous a mandate to consider when you consider all the rules and regulations and other things that could be brought in to decide whether those are mandates or not. It would bias court actions, it would undoubtedly cost the agencies huge amounts of money to generate the information for the study or the study would be worthless without the information. So it has financial consequences, legal consequences and so forth. And I would ask you as one who had supported it in committee, in retrospect, please kill it. We will have a substitute amendment which I will speak to at the appropriate time as a replacement.

SENATOR BOND: I rise in opposition to the motion of the amendment as carried in the calendar. It would seem to me that upon reading this that the committee, although comprised of a large cross section, doesn't have any means of really going about gathering the appropriate data and implementing it. It would seem to me that the leadership of the House and Senate would be in a far better position through the Office of Legislative Budget Assistant to acquire whatever information is necessary and then in the next session to assign that to the appropriate legislative policy committees to study.

SENATOR KING: Senator Bond, would you not agree that the member appointed by the Senate President and the member appointed by the Speaker of the House would be able to access that

information from the Legislative Budget Office for this committee and that by appointing people who actually have to roll up their sleeves and deal with these problems on a day to day basis, we would be getting the best of both worlds?

SENATOR BOND: I believe, Senator King, that the best way to do it would be to go about gathering basic technical information and then put together a committee to look at it.

SENATOR CURRIER: Does this amendment just deal with mandates after the enactment of the constitutional amendment that prohibits mandates or does it deal with all state laws as they exist today?

SENATOR KING: As far as that is concerned, it deals with all state laws. However, those things that occurred prior to the constitutional question obviously would be looked at in a different light than those things that occurred after the constitutional question was passed. But again, I want to stress that the main impetus of this is to determine what are unnecessary mandates that could be repealed. Because that is the first step that we need to take and so we are not really, the constitutional question number 2 does not come into play in the discussion.

SENATOR DUPONT: I rise in opposition to the calendar amendment. And I guess I sit here today listening to the argument on both sides and what we need is a litmus test of what is right and what is wrong for what the state tells our communities what to do. If you look at what we are talking about, Senator King could make a point that we don't want to replace underground tanks that are leaking in a school district because they are polluting our ground water. We shouldn't be the ones to tell communities to do those types of things or properly dispose of waste or maybe educate kids until they are sixteen years old or whether school buses should be painted yellow or fire trucks red or whatever. I think, over and above, the normal requirement of what a community ought to provide for services is what we are really talking about, but the questions isn't really today whether or not the state ought to mandate or what we mandated in the past, it is whether or not the state is going to pay for those mandates. And as a member of finance, I stand strong in my belief that state shouldn't be mandating anything back to the communities, however the state has been, the legislature, has been the body, that has required our communities to establish certain levels of services, which I don't think my constituents have a problem with. They don't have a problem with the state telling them that a kid ought to be in

school until sixteen or that school buses should be yellow or that waste should be properly disposed of. What they have a problem with is when the state comes in and says you are going to, by rule in particular; and the Department of Education by rule basically goes back to our communities and causes monies to be expended for education which the local community, if they had a choice, wouldn't spend. And that is the real crux of the problem. We stand here today, and I hate to bring this up as part of this discussion but it has been mentioned before, but the real question is should we fund all these mandates? And Senator King, I applaud your efforts at tax reduction, tax relief, I would very much like to see my property tax bills go down too. But the bottom line is we are sitting down in Finance today looking for pennies, nickels and dimes to help fund state programs and I said earlier and I say it again today that there is going to be a court case that challenges maybe not just the mandates that are out there since the constitutional amendment passed, but maybe all the ones that go back. And I personally don't believe that the state ought to be in a position of putting forth a study committee that lays out a scenario for a successful case against the State of New Hampshire. And that is the bottom line. While the committee probably has good intentions I think you should be looking at Senator McLane's comments the words off and find funding should be in there because if you're not going to look at how you are going to pay for them, there is no sense in rubbing our faces into it and telling us what they are. I think we are all aware of what the mandates are. I don't think we need a study to tell us that we mandate that school buses should be yellow or that we mandate that someone ought to be in school until they are sixteen. There would be no use for this study committee and no use for the results of the study committee unless you are going to find the dollars to fund the mandates. So I would urge my colleagues in the Senate to vote the original committee amendment down that is in the calendar and support the committee amendment that Senator Heath offers.

SENATOR KING: Senator Dupont, do you feel that a small community like the town of Tilton, New Hampshire that has about two hundred children in its elementary school ought to have to have 5 acres of land for an elementary school that essentially takes up 1/8 of an acre of land?

SENATOR DUPONT: Senator, I think you ought to introduce a bill next year to help the town of Tilton on that issue. I would urge all of my colleagues that if there are specific mandates that they find are unreasonable then the legislative process is the way that you remedy those issues.

SENATOR KING: Would you agree with me, Senator, that when the state was engaged in a lawsuit over the issue of funding for public education that the parties to that lawsuit reached an agreement as a result of the Augenblick formula?

SENATOR DUPONT: Senator, I helped work on the Augenblick formula so I would obviously say yes. There was an agreement.

SENATOR KING: And finally, following up on that question, Senator, would you not say that we would be better off to pursue the study of state imposed mandates to determine what might be repealed in order that we would avoid a court case further down the road?

SENATOR DUPONT: Senator, I stand by my original statement that Senators such as yourself that are concerned about state mandates ought to work on specific areas where they feel those mandates are particularly harmful to our local communities. And I think that is a more prudent way of doing it, then putting together a study committee to look at all mandates even the ones that are legitimate and that your communities would agree are legitimate.

SENATOR BARTLETT: I rise in opposition to the committee amendment. It is fairly simple that when the people voted for question 2 they told us they didn't wish any more mandates. I think this body, and I have been here since question 2 was in place, and we have tried to honor that request of no more mandates. I have serious concerns that the committee that they are talking about will go back and basically it says you can go back to day one for every law that is on the books in the State of New Hampshire and see if it applies to a mandate and if it costs anything. Yellow buses I think are fine and I think all children should have them. Senator McLane may object to the towns paying to have their buses painted yellow, but if the buses are by requirement coming through yellow, then I don't think there is any additional cost. Or maybe they object to having flashing lights on the buses and they would like the state to buy that. Or the crosswalks painted white. All this stuff costs money and where do you start with this piece of legislation? Do you start back and review every law on the books in the State of New Hampshire and decide that it costs the community money? We have, what I hope, are very intelligent people in this Senate. And if there is something wrong out there, a mandate or something is going back against the communities, maybe lets put the burden on the members of this body and members of the House to bring forth those errors in our laws that are wrong and bring them forth on an individual basis and not an all

encompassing group of people to look at every single law of the state. I can look at this group here and find out that they probably have difficulty agreeing on which area of government they want to attack. So let's try to take you and put the burden on you and go forth and pick out specific areas and bring forth in the legislature in 1990 and address those mandated issues and try and correct them. If you want proper education, you can't leave it up to every community to make their decision on their own. They need guidelines and those guidelines cost some communities more than others. But I think that what we have done here, this is really a can of worms that would go along with the committee, they would probably need a ten year study period to do all the work.

Amendment failed.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

Senator Heath offered a floor amendment for HB 232.

SENATOR HEATH: Basically what this amendment does is restores the portion of the amendment that did not deal with the study committee. That consists of two parts. One, keeping in mind that the subject of the original bill is the prepayment of taxes, the bill came to us amended by the House that the board of selectmen could chose to have prepayment of taxes or not too, and we allowed, with the agreement of the tax collectors by the way, both the board of selectmen or the town council or its governing body so that both the people and the leadership of the town can choose to do prepayment and partial prepayment of taxes. And the other thing is, that we took out the ten dollar increment, obviously the last increment is not apt to be \$10.00 and would it matter, with computers, if they paid \$55.00 instead of \$60.00 or \$50.00 and the tax collectors agreed that that was of no consequences and it would be easy to have that out of there. That's all this amendment does, it leaves the entire study business aside and speaks just to the bill itself and the intent of the bill and we would urge you to pass that.

SENATOR KING: I would just urge the Senators to adopt Senator Heath's amendment.

Floor Amendment to HB 232

Amend the bill by replacing section 1 with the following:

1 Prepayment of Taxes. Amend RSA 80:52-a to read as follows:

80:52-a Prepayment. Any town by vote at a town meeting under a proper article in the warrant **or by vote of the board of selectmen or the town council** and any city by vote of its governing board may authorize the prepayment of taxes and authorize the collector of taxes to accept payments in prepayment of taxes. If a town or city so votes, any person, firm or corporation owning taxable property on April [first] 1 may, after April [first] 1 and before notice of the amount of taxes assessed against said property for that year has been received, make payments on account of such taxes [in sums of not less than \$10, or in any sum divisible by \$10] and the collector shall receive such payments and give a receipt therefor and credit the amounts paid toward the amount of the taxes eventually assessed against said property. In any town or city which shall vote to authorize the prepayment of taxes the collector of taxes shall give such bond in the form and amount which the commissioner of revenue administration shall require, and he shall pay over all sums so received to the town treasurer under the provisions of RSA 41:35.

AMENDED ANALYSIS

This bill authorizes the board of selectmen or the town council, in addition to the town meeting, to approve the prepayment of taxes under RSA 80:52-a. The bill also removes the requirement that prepayments are to be made in sums of not less than \$10, or in sums divisible by \$10.

Amendment adopted. Ordered to Third Reading.

HOUSE MESSAGES

HOUSE CONCURS WITH SENATE AMENDMENTS

The House of Representatives concurs with the Senate in its amendments to the following entitled Bills sent down from the Senate:

HB 10, relative to supervisors of the checklist for the Conway annual town meeting.

HB 14, relative to legalizing town meetings.

HB 123-FN, relative to the office of securities regulation.

HB 138-FN, providing for a supported employment program and for an independent living program.

HB 167-FN, relative to taking or acquisition of condominium common areas by eminent domain.

HB 267-FN, relative to vicious dogs.

HB 298-FN, relative to the statute of limitations for actions against governmental units.

HB 369, relative to assumption of a town office after recount.

HOUSE MESSAGE

The House have voted to Lay on the Table the following bill sent down from the Senate.

SB 20, relative to the method of taking deer in the city of Dover.

HOUSE NONCONCURS

The House of Representatives refuses to concur with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 115-FN, establishing a committee to study private sector improvement in public education.

SB 134-A, relative to the purchase and maintenance of airports and making an appropriation therefor.

SB 138-FN, establishing a committee to study supplemental education assistance to school districts with assisted housing units.

SB 183-FN, relative to the the time for holding school elections in cities.

SB 187-FN-A, relative to drug and alcohol abuse treatment at the New Hampshire state prison and making an appropriation therefor.

HOUSE CONCURS

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 15-FN, relative to New Hampshire hospital reimbursements for certain observations.

SB 18, relative to forest and brush fires and enforcement powers of the division of forests and lands.

SB 29, relative to nonabandonment of dedicated streets.

SB 46-FN, relative to wage withholding for child support.

SB 55, relative to the children's trust fund for the prevention of child abuse and neglect.

SB 63-FN, relative to enforcement of child medical support.

SB 93-FN, relative to the number of primary ballots to be used for computerized voting machines.

SB 118-FN, relative to primary rights-of-way and class VI highways.

SB 119, relative to boundries of ward 2 in the city of Portsmouth.

HOUSE NONCONCURS WITH SENATE AMENDMENT
REQUESTS COMMITTEE OF CONFERENCE

HB 70-A increasing the appropriation for constructing regional vocational education centers.

Senator Dupont moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the House: Phelps, Marsh, Peyron, Kincaid.

Conferees for the Senate: Dupont, Blaisdell, Disnard.

HOUSE NONCONCURS WITH SENATE AMENDMENT
REQUESTS COMMITTEE OF CONFERENCE

HB 384-FN, establishing a task force to review the recommendations of the Manchester airport and highway study.

Senator Podles moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the House: Phelps, Driscoll, Alukonis, Burkush.

Conferees for the Senate: Podles, St. Jean, Charbonneau.

HOUSE NONCONCURS WITH SENATE AMENDMENT
REQUESTS COMMITTEE OF CONFERENCE

HB 288-FN, relative to penalties for aggravated DWI, negligent homicide, and possession of controlled drugs.

Senator Podles moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the House: Gage, Jasper, Hultgren, Murphy.

Conferees for the Senate: Podles, Preston, Roberge.

SENATE NONCONCURS WITH HOUSE AMENDMENT
REQUESTS COMMITTEE OF CONFERENCE

SB 108-FN, relative to Skyhaven airport in Rochester.

Senator Preston moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate: Dupont, Torr, Preston.

HOUSE REQUESTS CONCURRENCE

SB 19, establishing a joint legislative oversight committee on highway and bridge construction and reconstruction plans.

Senator Torr moved concurrence.
Adopted.

HOUSE REQUESTS CONCURRENCE

SB 120-FN, relative to acute care.

Senator Krasker moved concurrence.
Adopted.

ENROLLED BILLS REPORT

HB 11, relative to the payment of a claim against the state and making an appropriation therefor.

HB 241, relative to purchasing airports, establishing airport districts, authorizing airport property tax base sharing agreements, and clarifying certain statutes relative to aeronautics.

HB 292, extending the study and evaluation of state Route 101A corridor in the Nashua region.

HB 762, making supplemental appropriations for fiscal year 1989.

HB 254, establishing a study committee to examine issues relative to the great ponds in the White Mountain National Forest, access to public waters, and control and maintenance of public boat ramp sites.

Senator Johnson for the Committee
Adopted.

Senator Preston moved that HB 528 relative to learners' permits be removed from the Table.

Adopted.

Ought to Pass with Amendment. Senator Preston for the Committee.

SENATOR PRESTON: The original committee amendment was to make it effective January 1, 1990 so as to allow driving instructors and others to be prepared for the change in the rules and regulation.

Amendment to HB 528

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect January 1, 1990.
Amendment adopted.

Senator Preston offered a floor amendment.

SENATOR PRESTON: The reason this was placed on the table the other day, members of the Senate, is that Senator Disnard in his scrutiny of the bill indicated a flaw in the way the bill was written

that could have been interpreted to say that if a certified driving instructor was under 25 that he couldn't teach people how to drive. So that is the only change that we have made that it says now for unlicensed drivers under the age of 18 any person accompanying them shall be a certified driving instructor or and it continues as it was. But this just allows certified driving instructors that might have come out of colleges, since it is not indicated, at the age of 21 or 22 the way it was previously worded would have precluded them from being certified instructors of those under 18. That is the only change to the bill.

SENATOR JOHNSON: Senator Preston, shouldn't we make the body aware of the fact that we are changing the age from 16 to 15 1/2 years now as one of the exceptions for this bill.

SENATOR PRESTON: That was the change that we spoke to on the floor the other day Senator.

SENATOR JOHNSON: I just wanted to make sure now that everyone understands that this is now 15 1/2. You have to be at least 15 1/2 years old in order to become a learner.

SENATOR PRESTON: That's the way the bill came on the Senate floor the other day Senator, but the change that we made as a result of putting it on the table was just pertaining to the certified driving instructor.

Floor Amendment to HB 528

Amend RSA 263:25 as inserted by section 1 of the bill by replacing it with the following:

263:25 Exception for Persons Learning to Drive. Notwithstanding any other provision of law to the contrary, a person who does not possess a driver's license may drive a motor vehicle while being taught to drive, when accompanied by a person holding a driver's license of the appropriate class and type for the vehicle being driven, who is occupying the seat beside the person who is being taught to drive. This exception shall not apply to persons whose driving privileges or driver's licenses have been suspended or revoked for cause and persons less than [16] 15-1/2 years of age. **For unlicensed drivers under the age of 18 the person accompanying them shall be a certified driving instructor, or a parent, legal guardian, or responsible adult who is 25 years of age or older and who is a licensed driver.** The person accompanying the unlicensed driver [who possesses either a commercial driver's license or a driver's license

shall be 21 years of age or older and] shall be liable for the violation of any provision of this title or rules adopted hereunder committed by such unlicensed driver. **A person who is learning to drive pursuant to the provisions of this section shall have in his possession proof of the fact he meets the age requirement.**

AMENDED ANALYSIS

This bill amends the statute relative to persons learning to drive.

The bill provides that unlicensed drivers under the age of 18 shall be accompanied by a certified driving instructor; or a parent, legal guardian, or responsible adult who is 25 years of age or older and who is a licensed driver while operating a motor vehicle.

The provision relative to a learner's permit is repealed.
Amendment adopted. Ordered to Third Reading.

ANNOUNCEMENTS

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the bills ordered to third reading be read a third time by this resolution, all titles be the same as adopted and that they be passed at the present time; and that when we adjourn, we adjourn until Thursday, April 27, 1989.

Adopted.

LATE SESSION

THIRD AND FINAL READING

HB 758-FN, to establish an impact fee study committee.

HB 629-FN, relative to gravesites.

HB 94-FN, relative to pre-admission screening for nursing homes.

HB 237, relative to eviction of tenants with AIDS.

HB 502, relative to disclosure of mental health information.

HB 531, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places.

HB 177, authorizing local authorities to reduce the speed limit in business and urban residence districts.

HB 232, relative to authorizing the prepayment of taxes

HB 528, relative to learners' permits

NOTICE OF RECONSIDERATION

RECONSIDERATION

Senator Dupont, having voted with the majority moved reconsideration of HB 758, relative to impact fees.

Failed

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Thursday, April 27, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Bartlett in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord of our Life, and God of our Salvation, we call upon you to help as we always face tough situations as we approach the wind down of this session of 1989. Help us to do the best which we can with that which we have to work with. Always looking forward for better things to come. Like the old motto "Look sharp, be sharp" and be watchful. Help us Lord!

Amen

Senator Charbonneau led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 40, relative to intrastate motor carriers.

HB 93-FN, relative to the board of nursing.

HB 112-FN, relative to enforcing the boating laws.

HB 175, relative to bail commissioners' fees.

HB 209-FN, establishing a committee to study the accessibility of nursing home care.

HB 324, relative to posted school zones.

HB 373-FN relative to the use of automatic telephone dialing systems.

HB 457, relative to municipal regulation of forestry.

HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts.

HB 476, relative to holding special meetings concerning emergency expenditures for towns, village districts, and school districts.

HB 498 relative to publication of information on certain juvenile offenders.

HB 553 relative to the Wentworth-Douglass Hospital charter.

HOUSE CONCURS

SB 127-FN, relative to licensing physical therapists.

HOUSE REFUSES TO CONCUR

SB 79-FN, relative to state employee bargaining rights.

COMMITTEE REPORTS

HB 91-FN, relative to the New Hampshire technical institute and vocational-technical colleges.

Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 91-FN just continues the practice that we do now. It allows appropriation balances of the technical institute and vocational technical colleges to be placed in a continuing non-lapsing account. And funds in this account may be used only with the prior approval of the Fiscal Committee and with the approval of governor and council in order to establish or enhance programs. And in the last biennium what they did was expand the nursing programs which brought in more money. So the committee recommends Ought to Pass.

Adopted. Ordered to Third Reading.

HB 127-FN, increasing fees for laboratory services.

Inexpedient to Legislate. Senator Podles for the committee.

SENATOR PODLES: HB 127 duplicates HB 764 so the committee recommends Inexpedient to Legislate.

Adopted.

HB 145-FN, relative to children and youth services.

Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 145 is a housekeeping bill. It changes the definition of persons responsible for a child's welfare relating to child abuse and neglect and it amends a provision of current law and it makes the Division liable for the longevity pay for certain juvenile

service offices and this comes out of the operating budget, the appropriation comes out of the operating budget. The committee recommends Ought to Pass.

Adopted. Ordered to Third Reading.

HB 178-FN, relative to continuing the study committee reviewing the liquor laws.

Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 178 extends for another year the study committee reviewing the liquor laws. The committee recommends Ought to Pass.

Adopted. Ordered to Third Reading.

HB 215-FN-A, relative to fish and game search and rescue.

Inexpedient to Legislate. Senator Delahunty for the committee.

SENATOR DELAHUNTY: This bill makes an appropriation to the Department of Fish and Game for search and rescue which will be conducted by the Department during the biennium. While the committee realizes that Fish and Game shouldn't have to pay for the search and rescue, the funds simply aren't there this year to reimburse the Fish and Game for it. What we will do, there is a line item in the budget for these funds, and if it is at all possible, the committee will take a look at it and do everything that they can to reimburse the Department. We urge your support of Inexpedient to Legislate at this time.

SENATOR BOND: I am not going to make a substitute motion because I realize that the financial realities are that there are difficulties. I am very hopeful that Finance can get some money into the rescue line in the budget. I hope you realize that all the streams, all the lakes and all the mountains in this state which we use to attract tourists who pay a good hunk of our bills are protected and the services of rescue are provided by the Fish and Game Department and the lack of funding of this bill means that it comes out of the license fees of the fishermen and hunters who are using those various lakes, rivers and mountain.

SENATOR DUPONT: I'll be very brief and I would just like to reaffirm what both Senator Bond and Senator Delahunty have indicated. I think that it has come through loud and clear from many of my constituents that are hunters and fishermen that they object to the use of fish and game money for rescue. I further give my commit-

ment as a member of Senate Finance to Senator Bond and the rest of the Senators who have come up to me that indicated that they would like to see this bill passed that we are going to do everything within our power to see if we can't allocate some resources for rescue. It is inequitable.

SENATOR HEATH: The other day a young student was advised not to go to Tuckerman's Ravine and was caught in an avalanche and Fish and Game was brought out. He didn't have a fishing license or a hunting license, at least not in terms of his activities. This continually happens. We are not stopping rescuing, we are just not going to pay for it out of general funds if this prevails. And while I understand the situation, in the same session we are considering an increase in the hunting and fishing license structure and that basically - that money is going to go to pay for this. You can say it is going to pay for fisheries and all those other things, but this is one of those bills when it comes when a hiker is lost, when a camper is lost, when an ice climber is lost, Fish and Game has to go. It has a moral obligation, it probably has a legal obligation and it goes and it spends the money and when that money is spent it comes out of some other activity that is really in their mission which is the wildlife in the State of New Hampshire, not the rescuing of lost hippies and yuppies and so on from Massachusetts and other states. So I guess I stand here in objection to this bill understanding the situation and hoping that truly we will be able to find that money because it is extremely important and it is in the sense of fairness that we do it.

SENATOR MC LANE: Senator Heath, could you tell me what percentage of these rescues are actually people who had been either fishing or hunting?

SENATOR HEATH: There are probably a few that are bird watching, too. I would say that very few of them are experienced fishing and hunting people in recent years. I don't remember one in recent years, but I can remember many who are hikers and many who are people who suddenly had the urge to hike, you wouldn't really call them hikers because they didn't know what they were doing, but they got out of their car and started to climb Mount Washington in shirt sleeves on a fall day when it started snowing and that kind of thing. Very few are people hunting and fishing.

SENATOR MC LANE: I can see how this got started. That they probably were hunters in the beginning and that's what the rescues were, but wouldn't you think that it would be appropriate for finance to look at someone else like maybe the tourism budget that should be covering this?

SENATOR HEATH: I would think that we would develop an overall policy that would more truly allocate those costs where the benefits and where the responsibilities lay in proportion and some of that responsibility does lay with Fish and Game, but not all of it.

SENATOR BLAISDELL: I rise in support of the committee report. Knowing full well that since 1971, we've been trying to come up with a reasonable way to fund search and rescue. Every year, we come into Finance or any other committee that you go before Fish and Game and ask them what are the alternatives. I can remember way back when Senator Trowbridge was here that we both put in an amendment to try and make them take out an insurance policy if they climbed our mountains. We tried that, that didn't work. We've tried to assess, I have to commend Fish and Game Commissioner Dr. Normandeau what he did, the last person who went up there he really went after him and he had to pay, but I think that is not the answer though. I would love to have been able to put \$200,000 into this. We are going to look in Finance. I can't tell you until next week and I am sure Senator Dupont will tell you the same thing. We are going to take a hard look at it whether we can resolve something that has been going on for the last twenty years, I don't know, but we are going to try. We know it is there and we thank you for going along with the report.

Adopted.

HB 270-FN-A, relative to motorcycle safety, establishing a motorcycle rider safety fund, and a continual appropriation therefor. Ought to Pass with Amendment. Senator Blaisdell for the committee.

SENATOR BLAISDELL: I hope you realize that most of these bills that you are hearing today were policy bills sent over to us by your committees in the Senate. We took a look at the dollar amounts in them. There wasn't a lot, although there is one bill I think we have a problem with and Senator Torr is trying to take care of it. We agreed with what the Transportation Committee did with the motorcycle safety bill and what Senator Preston did. We did find, though, that in one part of the bill, and that is why we amended it out, that mandated the insurance commissioner in the State of New Hampshire to give everyone a 10 percent reduction. We don't think that is what the Senate wanted to do, so in Senate Finance we took that out so it is amended that way. We think that the insurance commissioner is capable of setting rates for these people and not have us come in and mandate a 10 percent across the board decrease in their insurance.

SENATOR PRESTON: Senator Blaisdell, would you believe that someone said that it could reduce insurance by 15% and the committee members were trying to send a strong message that you might convey to the appropriate sources?

SENATOR BLAISDELL: You always send me a strong message, Senator Preston, and I take it with from where it comes.

SENATOR MC LANE: Senator Blaisdell, when you established this fund, and obviously this fund is costing all of us money.

SENATOR BLAISDELL: No, it is not costing us anything. I probably should have explained that, Senator McLane. It comes out of their fees that they pay when they register. It is a revolving fund that really gives them some education.

SENATOR MC LANE: Right and that is my point, that is my question really. You have a group of people who refuse to wear motorcycle helmets. What in this bill is going to make them even look at the safety questions connected with helmets?

SENATOR BLAISDELL: I think that there would be a lot of things in the bill. I can't say that a bill like this is going to mandate motorcycle helmets and another bill is going to mandate seat belts. We just went through a few other things, Senator, around the state house that talked about someone's choice so we didn't want to mandate that either. I think it is a great thing. It sets up a revolving fund. They are going to pay for it themselves. It doesn't cost us anything. I think it will make a safer highway for the people of New Hampshire.

Amendment to HB 270-FN-A

Amend RSA 263:34-c, X and XI as inserted by section 1 of the bill by replacing them with the following:

X. Exemption from the licensing skills test under RSA 263:34-g.

XI. Procedures for the collection of additional registration and permit fees under RSA 263:34-h.

Amend RSA 263:34-e, II as inserted by section 1 of the bill by replacing it with the following:

II. All fees collected under RSA 263:34-h shall be credited to the fund established in paragraph I.

Amend RSA 263:34-g-34-i as inserted by section 1 of the bill by replacing them with the following:

263:34-g Licensing Skills Test Exemption. The director may exempt applicants for a motorcycle driver's license or endorsement from the licensing skills test if they present proof of successful completion of a rider training course that includes a similar test of skills that is approved by the director.

263:34-h Additional Registration, License, and Permit Fees.

I. In addition to the fee for each certificate and renewal of registration for a motorcycle under RSA 261:141, III(o), an additional fee of \$1 shall be assessed and collected by the department.

II. In addition to any other permit or license or endorsement fee for a motorcycle learner's permit or motorcycle license or endorsement, and for each license renewal, an additional fee of \$5 shall be assessed and collected by the department.

Amend the bill by replacing section 2 with the following:

2 New Subparagraph; Fund Added. Amend RSA 6:12, I by inserting after subparagraph (aa) the following new subparagraph:

(bb) Additional fees received under RSA 263:34-h, which shall be credited to the motorcycle rider safety fund established in RSA 263:34-e.

AMENDED ANALYSIS

This bill establishes a motorcycle safety education program under the administration of the director of the division of motor vehicles. The program includes rider training courses and instructor training. The director is given rulemaking authority in this area.

The director may contract with public or private institutions for assistance in conducting training courses. An adequate number of courses must be provided to meet the needs of all eligible persons in the state.

A motorcycle rider safety fund is continually appropriated to the department of safety to be used for the administration of and the expenses relating to the motorcycle safety education program. Increases in motorcycle permit, license, and registration fees are credited to the new fund.

Amendment adopted. Ordered to Third Reading.

HB 290-FN-A, to modernize the automation activities of the department of revenue administration and making an appropriation therefor.

Ought to Pass with Amendment. Senator Torr for the committee.

SENATOR TORR: HB 290 came across from the House with a dollar appropriation in it. The amendment takes that dollar out. The basic intent of the bill, then, is the intent of the legislative process to upgrade the revenue administration.

Amendment to HB 290-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

to recognize that the automation activities of the
department of revenue administration
should be modernized.

Amend the introductory section of paragraph I of section 1 of the bill by replacing it with the following:

I. The purpose of this act is to recognize that the automation activities of the department of revenue administration should be modernized. This modernization would provide the department with the ability to perform mathematical computations, verify taxpayer information, automate the tax liability process, increase taxpayer assistance, and categorize taxpayers for audit selection and enforcement. Modernization would also allow the department to perform the following functions:

Amend the introductory section of paragraph II of section 1 of the bill by replacing it with the following:

II. Modernization would be used to procure:

Amend the bill by deleting section 2 and renumbering section 3 to read as section 2.

AMENDED ANALYSIS

This bill recognizes that the automation activities of the department of revenue administration should be modernized.
Amendment adopted. Ordered to Third Reading.

HB 521-FN, regarding a state loan for the Monroe sewage treatment facility.
Ought to Pass. Senator Torr for the committee.

SENATOR TORR: HB 521 increases the amount for which the state is authorized to make a loan for the sewage treatment facility in the town of Monroe. If you remember in the last legislative session, Exeter and Monroe had a special piece of legislation for a special loan to both those communities to upgrade their sewer treatment facilities.

And basically, all this does is increase the loan from \$1 million to \$1,200,000. Of that \$200,000 additionally appropriated \$180,000 would be the responsibility of Monroe, \$20,000 for the State of New Hampshire.

SENATOR KING: I am going to be very brief on this matter because, frankly, I'm not sure how to even vote on it because there has been such general disagreement. I am going to support the bill, but I want, at least for everybody here to know a little bit of the background in terms of the Monroe situation. The residents of Monroe voted this year against having a sewage system that would be a community sewage system to replace the old system in the town. However, there is work being done at the moment to form a precinct. No one is quite sure of what the outcome of the vote to form a precinct will be. And it looks as though it is going to be very close. So we will let the will of the people to decide that, but I guess if they decide to form that precinct they will then have this money available to them. And I would be in favor of that.

Adopted. Ordered to Third Reading.

HB 661-FN, relative to notification to downstream municipalities concerning effluent discharges.

Ought to Pass. Senator Torr for the committee.

SENATOR TORR: HB 661 requires the Division of Water Supply and Pollution Control, the Department of Environmental Services to give notice to downstream municipalities when a permit is given or a violation is discovered relative to the discharge of effluent that may be detrimental to either the quality of the water or contiguous shoreline environment. The bill also requires the Division to submit a report on proposed emergency procedures for sewage system failures. The bill has no appropriation.

Adopted. Ordered to Third Reading.

HB 98-FN, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs and making an appropriation therefor.

Ought to Pass with Amendment. Senator Hough for the committee.

SENATOR HOUGH: What this bill does, in fact, is it allows for the local jurisdictions, municipalities and counties to be reimbursed for medical services that ultimately will be the responsibility of the state in the medical assistance program. Frequently, when people come on to service, they are in need of service immediately before

all the documentation has been completed and the local communities front the money. And this allows us to reimburse them so that these individuals can have their needs addressed. The money is in the budget and that is what the amendment does. It takes it out of the bill and give authorization for a procedure which is commonly being taken care of.

Amendment to HB 98-FN

Amend the title of the bill by replacing it with the following:

AN ACT

reimbursing counties and towns for general assistance funds
allocated to the cost of prescription drugs.

Amend the bill by deleting section 2 and renumbering section 3 to read as 2.

Amendment adopted. Ordered to Third Reading.

HB 114-FN, allowing the district courts to approve petitions for services other than counsel.

Ought to Pass. Senator Hough for the committee.

SENATOR HOUGH: This bill is a merely a housekeeping measure. It allows for district courts to provide for service without the necessity of going up to Superior Court for authorization and then back down to the district court. We looked at this and saw that it had no direct impact on the state finances and it would expedite service and the inefficiency in the court system.

Adopted. Ordered to Third Reading.

HB 144-FN-A, relative to minor mothers and their infants and making an appropriation therefor.

Ought to Pass. Senator Hough for the committee.

SENATOR HOUGH: Again, the committee took a look at this bill and recommends that it ought to pass. It is a measure which will allow us to be in compliance with federal regulations. Presently, the Department of Children and Youth Services are already taking care of the cost for minor mothers. It brings our statute into compliance to prevent an exception in audits. The services are being provided. It is an accountability measure and that is what this bill does.

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator King in the Chair.

HB 28, prohibiting internal combustion engines on Willand Pond in the cities of Somersworth and Dover.

Ought to Pass. Senator Bass for the committee.

SENATOR BASS: This bill does exactly what the clerk just read. Both municipalities already have regulations banning internal combustion engines on this lake because it is the town water supply. The problem that they have is that once you pass the jurisdiction of the town, they don't have any authority. So what they have to do is wait around the edge of the lake to try and catch people. We urge the Senate to adopt the committee motion of Ought to Pass.

Adopted. Ordered to Third Reading.

HB 81-FN, relative to dam permitting authority.

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: This bill establishes permitting authority for the Division of Water Resources to require permits for non-permitted dams, that is, dams that have been in existence for many years and in some cases have been unknown to the Division. It sets up a payment for additional classification fees - Class A, B, and C dams. The amendment removes the provision in the House Bill which required a \$25.00 application fee.

Amendment to HB 81-FN

Amend RSA 482:2-a as inserted by section 1 of the bill by replacing it with the following:

482:2-a [Unregistered] **Non-permitted** Existing Dams.

I. Upon written notice from the division of water resources, the owner of [an unregistered] **a non-permitted** existing dam shall submit an application for [registration of] **a permit for** said dam to the division of water resources. The application shall provide such information as the division of water resources may require to determine whether **or not** the dam is a menace to the public safety. [In registering any such dam] **Following a review of the permit application,** the division of water resources may [order the owner thereof to make any repairs or undertake any] **issue a permit to the owner with necessary conditions for the repair or reconstruction of the dam** which the division of water resources deems necessary for the

public safety. Such **repair** work shall be undertaken within a time period fixed by the division of water resources.

II. In addition to the information required in paragraph I, the applicant, upon notice from the division, shall submit to the division an additional classification fee based on the classification of a dam as follows:

- (a) Class "A" dam - \$100
- (b) Class "B" dam - \$250
- (c) Class "C" dam - \$500.

III. All funds collected under the provisions of this section shall be deposited into the general fund as unrestricted revenue.

AMENDED ANALYSIS

This bill establishes permitting authority for the division of water resources to require permits for non-permitted dams.

It establishes 2 fees for dams being permitted.

If the division of water resources gives notice to an owner of a non-permitted dam, this bill requires the owner to submit an application for a permit for the dam.

It also requires the payment of an additional classification fee as follows:

- (a) Class "A" dam - \$100
- (b) Class "B" dam - \$250
- (c) Class "C" dam - \$500

All fees collected are to be deposited in the general fund as unrestricted funds.

This bill was requested by the division of water resources, department of environmental services.

Amendment adopted. Ordered to Third Reading.

HB 111, relative to moorings.

Ought to Pass with Amendment. Senator Bond for the committee.

Senator Bond moved to have HB 111 Laid on the Table.

Adopted

HB 117-FN, relative to feeding garbage to swine.

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: This bill authorized the commissioner of Agriculture to require the quarantine of swine who have been fed un-boiled garbage and it gives under the rulemaking authority, the ability to adopt administrative fines up to \$5,000. The amendment removes language pertaining to permanent revocation of permits and times of day when he can do inspections.

SENATOR DISNARD: Does this mean a family that has pigs for their own enjoyment and feeding must then boil their own table scraps to their own pigs?

SENATOR BOND: This is not a pork barrel bill and it does not involve family consumption of pork products. This has to do with commercially managed pig farms.

Amendment to HB 117-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Quarantine. Amend RSA 435 by inserting after section 36 the following new section:

435:36-a Quarantine Required. Any person who violates RSA 435:36 by feeding raw garbage to swine, except as provided in RSA 435:33, II, shall be required to have such swine quarantined and tested, at his own expense, for brucellosis, pseudorabies, hog cholera and African swine fever.

2 New Paragraph; Administrative Fine Added. Amend RSA 435:40 to read as follows:

435:40 Penalties.

I. Any person who violates any of the provisions of or who fails to perform any duty imposed by this subdivision, or who violates any rules adopted under it shall be guilty of a misdemeanor. In addition, such person may be enjoined from continuing such offense. Each day upon which such offense occurs shall constitute a separate offense.

II. In addition, any person who violates any of the provisions of this subdivision or any rule adopted under it may be subject to an administrative fine levied by the commissioner, not to exceed \$5,000 for each violation.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

The bill requires any person who has fed raw garbage to swine to have such swine quarantined and tested, at his own expense, for certain diseases.

The bill adds an administrative fine to the other penalties for violations of this law.

Amendment adopted. Ordered to Third Reading.

HB 146-FN, relative to the milk standard.

Ought to Pass with Amendment. Senator McLane for the committee.

SENATOR MC LANE: This bill has been an education for the committee. We have learned a lot about milk and a lot about ice cream and one of the truisms we've learned is that the money is in the cream. The other thing we learned is that there has been a tremendous trend in the last ten years towards lower and lower milk fat content in milk. In fact, the dairy industry that testified said that over 50% of the milk sold now is less than whole milk. And of course you know what people do, they drink skim milk all day long and then they have a bowl of Ben and Jerry's at night and get all the cream back. There is a fight within the dairy industry as to what the standard should be for milk fat content on whole milk as sold. The problem is that New Hampshire has been out of sync with the rest of New England. We are the only New England state now that has not gone to a standard 3.25. Vermont, that great dairy state, has just adopted that standard. So this bill makes a simple change. What it does is make the requirement that the milk sanitation board be the ones to determine the percentage of milk fat in whole milk. A West Lynn contractor who works out of Salem explained to us that now the big milk producers have to keep two silos with New Hampshire milk and other state's milk, silos to keep the milk in, double labels for milk that is sold in New Hampshire. In short, this is a creamy measure and I think you ought to pass it.

Amendment to HB 146-FN

Amend the bill by replacing section 2 with the following:

2 Milk Content Standard. Amend RSA 184:79, XXII to read as follows:

XXII. The term "milk" means the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free. The term "milk" unqualified means cow's milk. [It shall contain not less than 11-85/100 percent of milk solids, nor less than 3-35/100 percent of milk fat.] **The board shall by rule establish the minimum percentage requirements for milk solids and milk fat in milk.** The board shall set these standards as close as possible to those of adjacent states.

AMENDED ANALYSIS

This bill gives authority to the milk sanitation board to set by rule the percentage of milk solids and milk fat required in milk.

The bill also requires the milk sanitation board to adopt all of its rules in accordance with RSA 541-A. The bill also adjusts the compo-

sition of the milk sanitation board, by removing the public member and the town or city health officer and adding 2 produce permit holders.

This bill is a request of the department of agriculture.
Amendment adopted. Ordered to Third Reading.

HB 271-FN, relative to fish and game license fees.
Ought to Pass. Senator Bond for the committee.

SENATOR BOND: The Fish and Game Department has not raised its fishing license fees for a number of years. In order to meet the rising costs of maintenance of their operation, it is necessary that they derive some new income, particularly where search and rescue is not being funded to the extent that it really is needed. The House committee and the Senate committee both urge you to add this \$5.00 fee to fishing licenses so that we can continue to afford those services. This increase has been brought up before a number of different fishing organizations, all of whom have been supportive of the need for it. We would urge your support.

SENATOR HEATH: I rise in opposition. I don't think that on the same day that we take a state responsibility and shove it on to the sportsman that we should put an additional tax, and that is what this amounts to, with the conjunction of these two bills. I don't think the sportsmen mind paying their fair share and they pay more than their fair share because they pay for the protection of non-game species, non-hunted and non-fished species and they pay for a lot of extra police work because these people are out in the fields and the forests and on the highways all the time just as the state police are and they discover a lot of things and help a lot of other agencies and help a lot of other people in trouble. And I don't think they should take this additional burden that is a general state responsibility and at the same time we don't fund that responsibility, we ask for more money from the sportsmen to do this. This won't get anything done in the Fish and Game Department until we find a way to fund search and rescue, because this will hardly make up the money we have taken out for search and rescue. So for that reason, I am going to oppose this legislation.

SENATOR BASS: Senator Heath, I believe I don't recall of hearing anybody in opposition to this bill.

SENATOR HEATH: I was not at the public hearing, to my great regret, and so I cannot testify whether anyone opposed it or not. I

would very much suspect that most of the people who have licenses to hunt and fish in the State of New Hampshire were at work when this hearing was going on.

SENATOR BLAISDELL: I rise in support of Senator Bond's committee report. Knowing full well where Senator Heath is coming from, I in my area, have a pipeline to the sportsmen in my area. I know the Fish and Game Commissioner in my area very well and he has told me exactly what the sportsmen in my area have talked to. They are willing to accept this knowing full well, he has talked to me about the same things you have talked about, that search and rescue is still a very big thorn in their side. The sportsmen of this state are willing for this support. They want the bill to pass. I have had no opposition to it, in fact, if this bill passes, I would request that the bill not be sent to Finance but be sent directly over to the House to be agreed to. I don't need it in Finance. It goes into not the general fund, but into their fund, so that they can get right along with it.

SENATOR BOND: I rise to say that I can't argue with Senator Heath's logic. The only think I can say is that if we kill this bill, we are compounding the problem for Fish and Game. So I would urge you that you vote Ought to Pass.

SENATOR PRESTON: Just yesterday, we heard a bill in Capital Budget that would hire four people to go around and improve the hatcheries under the force account of Fish and Game and to go out, without bids, of up to \$150,000 to repair the hatcheries and serve the sportsmen who in some cases have waited up to two and three years to get projects done. It was indicated at that hearing that this increase in licenses will go to those projects to benefit the fishermen. So I respectfully request your support.

SENATOR HEATH: Senator Preston, with no specific appropriation to those purposes in this piece of legislation, is it not true that the money will go into the Fish and Game fund?

SENATOR PRESTON: Yes.

SENATOR HEATH: Senator Preston, where will the money for search and rescue come from?

SENATOR PRESTON: That was not addressed yesterday at all.

SENATOR HEATH: Isn't it true that that normally comes from the Fish and Game fund?

SENATOR PRESTON: And general fund. I can remember sitting here and appropriating on various occasions when they were assessed costs for rescue operations in the mountain areas that we had to vote specific appropriations to the general fund.

SENATOR HEATH: Isn't it true that it is Fish and Game that responds to search and rescue and those costs are added up and then they come into the legislature to get a return on those dollars as in this legislation which they have now failed to do, therefore that cost will be assessed until that time we can return those dollars to the Fish and Game fund out of the same fund that this additional funding will go into with a non-specific use?

SENATOR PRESTON: You are alluding to a problem that has long been in existence, but I would hope that you would not try to address it into defeat. This bill we need to fund a project coming up in Capital Budget.

SENATOR HEATH: Senator, would you believe that my point is simply that that was the intention of the Fish and Game Department to use it for these additional fisheries problems, but where they get sacked with this money that we haven't appropriated today, that it will be putting it into one pocket and taking it out of the other?

SENATOR PRESTON: It may well be, Senator, but in spite of that would you please vote for this bill.

SENATOR NELSON: Senator Heath, I wanted to just get a clarification, because I know you know a lot about fish and game stuff. What do you think about this going into, the fiscal impact of this, about going into the Fish and Game Department.

SENATOR HEATH: It will go into the Fish and Game Department which is fine, except that we have in this same session left them with a liability that will eat it all up. So in a sense this is a tax on sportsmen for what should be a general fund or state-wide liability for search and rescue.

Adopted. Ordered to Third Reading.

HB 279-FN-A, relative to the purchase of the Ralph Brown property in Rye and making an appropriation therefor.
Ought to Pass. Senator Krasker for the committee.

SENATOR KRASKER: HB 279 is the authorization for the state to purchase 2 acres and buildings across the street from Odiorne State Park which is one of the most important state properties in the sea-coast. Mr. Ralph Brown offered 65 acres to the state and it was pur-

chased through the land conservation investment program. He lives on the property right now and he reserved 2 acres and his barn and his house, but has given the state first refusal. So eventually all the land across the street from Odiorne will be part of Odiorne State Park. This bill authorizes the state to purchase the 2 acres and the buildings and I urge your approval.

Adopted. Referred to Finance (Rule #24).

HB 605-FN, relative to recycling logo.

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: HB 605 establishes the international 3 arrow recycling emblem with the designation as to whether the product to which it is affixed is recyclable or has been recycled. The emblems are similar. One is solid arrows, the other is hollow arrows and from that you can tell which the product is. The amendment, which you will find in the calendar on page 10, simply clarifies the relationship of this to the plastic industry's symbol which designates on the bottom of plastic containers exactly what the plastic content is.

SENATOR JOHNSON: Senator Bond, I am looking at the analysis portion here where it says the Commissioner of Environmental Services may authorize the placement. Does that mean that every recyclable item that the manufacturer is going to have to go to the Department of Environmental Services for authority to affix this symbol?

SENATOR BOND: No, but what it means is that he is empowered to provide consistency in the placement of the symbol. So that he can be asked to decide where it should go.

SENATOR JOHNSON: But are you assuring me that we are not laying on another responsibility setting up a bureaucratic system within the Department of Environment Services?

SENATOR BOND: It is my understanding, Senator Johnson, that the rulemaking authority which this provides on the third page does not create an additional burden to the Department of Environmental Services. That they will simply adopt a set of rules which will be followed as to the placement, if you are going to use the symbol, how you will use it so it will not conflict with the other people's use of it.

Amendment to HB 605-FN

Amend RSA 149-N:4, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) Standards to be met to qualify products as composed of recycled or recyclable materials. These standards shall not interfere or prohibit the placement of the uniform plastic resin content code for plastic bottles and containers of the Society of the Plastics Industry, Inc. (SPI) on materials covered by this chapter.

AMENDED ANALYSIS

This bill establishes the international 3 arrow recycling emblem with a designation of whether the product to which it is affixed is recycled or recyclable material in this state. The commissioner of environmental services may authorize the placement of the symbol on packages sold or offered for sale in this state, and is authorized to establish rules pertaining to labeling. Standards established by such rules shall not interfere with or prohibit the plastic resin content coding system of the Society of the Plastics Industry, Inc.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Dupont in the Chair.

HB 574-FN, relative to licensure of mental health professionals.
Inexpedient to Legislate. Senator Freese for the committee.

SENATOR FREESE: This bill establishes licensing boards for mental health practitioners which include psychiatrist, psychoanalysts, pastoral psychotherapists, clinical social workers and mental health counselors. It sets up four separate licensing boards and then there is an overall board to oversee the four licensing boards. There was extensive testimony on this bill. We spent from 1:00 one afternoon until 5:30, that is over four and half hours with a full room of 75 to 100 people, most of whom spoke for or against the bill. The bill was hailed by supporters as a consumer protection bill and by opponents as bureaucratic, divisive and cumbersome. The Senate's Executive Departments Committee unanimously felt this bill would cause more problems than it cured and contained many inconsistencies and misunderstandings. If enacted, we felt it would cause more consternation than it would do good. The committee recommends Inexpedient to Legislate. Senator Bond will be recognized to introduce an amendment or a motion. I hope you will support the committee report. We feel that this subject matter is worthy of continued work, but that to put it into Interim Study would be not the proper place for it. We think they ought to start all over again and consider legislation on separate boards and handle each one by itself. So we hope you will support the committee report.

Senator Bond moved to have HB 574-FN Laid on the Table.
Motion failed

Committee report adopted.

HB 300-FN-A, relative to studying access to medical care for persons without health insurance and making an appropriation therefor. Ought to Pass with Amendment. Senator Freese for the committee.

SENATOR FREESE: This bill establishes a committee to devise a program to increase the availability of necessary and basic health coverage for low income citizens who do not qualify for medicaid. Everyone that spoke to the bill, spoke for it. There is an amendment on page 10 that simply makes the bill effective upon passage. We think that it is a proper thing to do to study this problem and we hope you will support the committee report.

Amendment to HB 300-FN-A

Amend the bill by replacing section 8 with the following:

8 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Referred to Finance (Rule #24)

HB 463, excluding credit life and health companies from the 30-day premium return requirement.
Inexpedient to Legislate. Senator Charbonneau for the committee.

SENATOR CHARBONNEAU: The commissioner was the only one that testified on HB 463. The legislature passed a real good bill a year ago and for some reason they wanted to exclude credit life from the refund law. The commissioner feels that there is no need for this bill and to go with the committees report Inexpedient to Legislate.

Adopted.

HB 536-FN, relative to technical changes in unemployment compensation law and to changes in the maximum weekly benefit amount. Ought to Pass. Senator Charbonneau for the committee.

SENATOR CHARBONNEAU: There are a few problems with this so we would like to recommit it to the committee.

Senator Charbonneau moved to have HB 536-FN recommitted to committee.

Adopted

HB 615-FN, establishing a pilot program relative to medical, hospital, and remedial care in worker's compensation.

Ought to Pass. Senator Charbonneau for the committee.

SENATOR CHARBONNEAU: This is a two year pilot program to determine whether the cost of the worker's compensation system can be contained by monitoring more closely the medical, hospital and remedial care as required under RSA 281-A:23. It had the full support of the worker's compensation advisory council.

Adopted. Ordered to Third Reading.

HB 187-FN, relative to the rulemaking authority of the board of medicine.

Ought to Pass with Amendment. Senator Bartlett for the committee.

SENATOR BARTLETT: The discussion regarding HB 187 and what has happened was HB 187 was a direct result of the board of medicine failing to follow the request of this legislative body, including the House and the Governor. There was legislation passed. And the amendment says that they shall within three months make rules on all prior legislative direction and in future they shall do it within a six month period. If they do not do it, then the director of Health and Human Services will be empowered to make the rulemaking. We urge your adoption of the amendment because it doesn't make sense for this body or any other body to pass into law and a board ignore those requests and those parts of law that we have passed.

Amendment to HB 187-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Sections; Rulemaking Consistent With Statutory Authority. Amend RSA 329 by inserting after section 9-c the following new sections:

329:9-d Copies of Proposed Rules for Commissioner; Rulemaking to be Consistent with Statutory Authority.

I. At the same time the board files the text of a proposed rule with the director of legislative services under RSA 541-A:3-a, VII, the board shall provide the commissioner of the department of health and human services with a copy of the text of the proposed rule. The commissioner shall monitor the rulemaking activity of the board under RSA 329:9 to ensure that all rules adopted are:

(a) Consistent with the provisions of RSA 541-A;

(b) Consistent with the specific statutory authority under which they are adopted;

(c) Consistent with other statutes; and

(d) Consistent with rules adopted by any other board, commission, or agency.

II. If the commissioner determines that a rule proposed for adoption is not consistent with the criteria established in paragraph I of this section, he shall notify the board in writing. If the board does not take corrective action, he shall notify in writing the joint committee on administrative rules, the senate executive departments committee, and the house executive departments and administration committee for further corrective oversight action.

329:9-e Rulemaking Authority to be Exercised by Commissioner under Certain Circumstances.

I. When the board is required by law to adopt a new rule or to amend or repeal a previously adopted rule under RSA 541-A, the board shall have completed the rulemaking process and filed the adopted rules with the director of legislative services in accordance with RSA 541-A:3-f, within 6 months of the effective date of such law.

II. If the board does not take the action required by paragraph I within the 6-month period, the commissioner of the department of health and human services shall be deemed to be the agency authorized by law to make such rules. The commissioner shall take action to adopt such rules and within 3 months shall have filed the adopted rules with the director of legislative services. Upon request, the board shall supply the commissioner with any information or records required by the commissioner to enable him to exercise his rulemaking authority under this paragraph.

2 Compliance Required. Within 3 months of the effective date of this act, the board of registration in medicine shall be fully in compliance with all statutory requirements relative to rulemaking in effect before the effective date of this act. The board shall have completed the rulemaking process and shall have filed any rules required to be adopted with the director of legislative services in accordance with RSA 541-A:3-f, within such 3-month period.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill directs the commissioner of health and human services to monitor rulemaking of the board of registration in medicine to ensure that such rules are consistent with statutory authority and with RSA 541-A. The board is required to provide copies of pro-

posed rules to the commissioner. The board is an administratively attached agency to the department of health and human services.

The bill also requires the commissioner of health and human services to adopt rules, in place of the board, if the board has not adopted rules required by any law within 6 months of the effective date of the law.

The board of registration in medicine is required to be fully in compliance with all statutory requirements relative to rulemaking in effect before the effective date of this bill within 3 months of the effective date of this bill.

Amendment adopted. Ordered to Third Reading.

HB 155, relative to correcting an error in the March 10, 1987, Hooksett school district election ballot.

Ought to Pass. Senator Johnson for the committee.

SENATOR JOHNSON: HB 155 corrects an error in the election in regard to the school board from two years to three years. Public Affairs Committee applies a certain series of tests to all of these legalizing bills and we want to know if town officials were aware of what was being done. The answer was yes. We referred the question to Senate council to find out if it was correctable under RSA 31-5B. We also asked the question if it damaged public interest and also are we legalizing only a specific defect. The answers to those questions were in the negative and we therefore recommend passage of HB 155.

Senator Bass offered a floor amendment.

SENATOR BASS: I would like to move a floor amendment. The clerk just passed them out. It is an amendment that legalizes under article 2 and 3 of the warrant of the Marlborough town meeting. It is a very simple problem. The town took the articles up in the reverse order. Article 2 was a bonding item and apparently in the statutes you have to take up bonding items before you take up the regular warrant and they failed to do that. It is for the construction of a town garage. If we don't do this it is going to delay the beginning of this project. I sincerely hope the Senate will adopt this floor amendment which will help the town of Marlborough.

SENATOR NELSON: I don't quite understand this. I don't understand how it will help the town with its problem.

SENATOR BASS: You need to refer to the amendment itself. The second sentence of the analysis is the part that refers to the amendment. The first part deals with Hooksett.

SENATOR NELSON: I live in a city and I don't understand why we have to legalize it on the state level again. Could you just better help me understand that?

SENATOR BASS: If you do not conform to the statutes, the state statutes that relate to the procedures for the adoption of bonds, the procedural questions at town meetings, then the only way that you can conform to the statutes is to legalize the improper procedure in that particular instance. Otherwise you have to change the statute or start all over again.

SENATOR NELSON: Senator Bass, thanks for your patience. What I am not clear on, and I appreciate this, this is a state and do the people in that local area know about this.

SENATOR BASS: This comes from Representative Gordon at his behest. It was brought to his attention. This does not in any way change the outcome of any vote for purposes of dealing with bond council to make sure the bond is legal. It has got to be in conformity of all sections and subsections of New Hampshire statute. The vote will remain as it was and they would not have to go to the cost and expense of having a special town meeting just to reverse the order. It wouldn't affect the vote at all.

SENATOR HEATH: Senator Bass, I have a serious problem when we legalize things that we have made rules, in fact we made laws, that this is how you conduct a meeting and when those laws are violated, like traffic laws, it seems to me there should be a penalty. In this case there is no penalty except on the State of New Hampshire which has to pay for the legislation to legalize, not only the violation, but the whole damned meeting. And I ask you, what do you think would be a proper penalty on towns that consistently violate these laws and should the penalties be on the taxpayers of the rest of the state by putting legislation that says we made the laws but we really don't care you violated them. We'll make it all right.

SENATOR BASS: In response to that question, Senator Heath, I would respond in two fashions. First of all the people who are responsible for technical problems in the town meetings are generally volunteers just like you and I. I would ask a rhetorical question, should State Senators be penalized and say what should the penalty be for us as volunteers when we make procedural mistakes in our consideration of legislative matters where we have to go back into committee and make corrections. Which is indeed expensive. The second item is that of all the towns in the state, and I can't remem-

ber the exact number 237 or whatever, we usually only have a couple, maybe two or three problems in a given year, which I think is quite amazing considering the complexity of the matters that come before towns on a regular basis. So I really don't think that there is a problem where the towns are coming back on a perennial basis for correction on their check lists. Because if they are, then the townspeople ought to get together and elect a new moderator.

SENATOR HEATH: Senator, how do you equate procedural mistakes of the statutes of the State of New Hampshire if we broke the law, we should pay the penalty and if others break the law, they should pay the penalty which in this case would be to redo the town meeting and this time do it right.

SENATOR BASS: Senator, I would suggest that if this is a matter of concern to you that you might introduce a bill that would have mandatory ten year sentences for moderators who break statutes, if you feel that this of such severe concern that it requires a penalty.

SENATOR HEATH: Senator, would you believe that proper punishment for messing up a town meeting would be to have them go back and do it right?

SENATOR BASS: That would depend, Senator Heath, on the consequences to all the rest of the taxpayers of the town if that had to occur. It might be a bigger penalty than you think.

Floor Amendment to HB 155

Amend the title of the bill by replacing it with the following:

AN ACT

relative to correcting defects in the March 10, 1987
Hooksett school district election ballot and
the March 14, 1989, Marlborough
town meeting.

2 Marlborough Town Meeting. All votes and proceedings on articles 2 and 3 of the warrant of the Marlborough town meeting held March 14, 1989, are hereby legalized, ratified, and confirmed.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill legalizes the election of two school board members to 3-year terms as indicated on the election warrant of February 17, 1987, not 2-year terms as erroneously indicated on the election ballot of March 10, 1987.

The bill also legalizes the proceedings and votes on articles 2 and 3 of the warrant of the Marlborough town meeting held March 14, 1989.

Amendment Adopted. Ordered to Third Reading.

HB 239, relative to legalizing town meetings.

Ought to Pass. Senator Johnson for the committee.

SENATOR JOHNSON: HB 239 is an interesting juxtaposition after having just gone through the arguments on HB 155. For the benefit of Senator Nelson, the many towns in the State of New Hampshire have good spirited volunteers rather than the high priced bureaucrats that are often found in some of the larger cities of the State. Another interesting aspect of it is that HB 239 seeks to improve RSA 31:5B which was passed by this body last year, authored by the esteemed Senator Roger Heath and committee referred the bill to the Senate counsel to find out if this was indeed an improvement over Senator Heath's prose of the previous year. The answer was yes. So this HB 239, in all seriousness, is an attempt to make it easier for towns who commit some sort of defect in their well intentioned meetings to correct it themselves rather than returning to the State Legislature.

SENATOR NELSON: What I want to know is how come these errors are constantly occurring at the local level in these towns that we are always bringing these bills in to correct these problems?

SENATOR JOHNSON: If Representative Gordon were still here, I would yield that question to him. But they just happen. They don't happen consistently with one community. One year it is this community, the next year it is another one there. They are all volunteers.

SENATOR NELSON: The only thing that concerns me is that this state spent, every time we're not spending money or doing something in this state for education, we talk about the fact that we have local control. I don't understand why procedurally defective actions cannot be taken care of at the local level instead of having state interference and having this bill come in. I am trying to be serious about this and not judgmental or didactic.

SENATOR JOHNSON: I would believe that you are not attempting to be didactic and I agree that you are attempting to be serious. But in all fairness, Senator, the bill before us is an attempt to return the issue to local control and make it easier for those communities to correct the defects and the errors that they committed.

Adopted. Ordered to Third Reading.

Recess

Out of Recess

Senator Bartlett in the Chair.

HB 29, relative to liquor laws.

Ought to Pass with Amendment. Senator Stephen for the committee.

SENATOR STEPHEN: HB 29 was agreed by the committee to amend it that allowed people traveling in from Canada would be allowed to buy alcoholic beverages by showing their driver's licenses with a picture, birthdate and their name, as we do here.

Amendment to HB 29

Amend the title of the bill by replacing it with the following:

AN ACT

relative to purchasing alcoholic beverages.

Amend the bill by replacing all after the enacting clause with the following:

1 Canadian Identification. Amend the introductory paragraph of RSA 175:6-b, I and paragraph I(a) to read as follows:

175:6-b Statement From Purchaser as to Age.

I. For the purposes of RSA 175:6-a, any person making the sale of alcoholic beverages to any person whose age is in question shall require the purchaser to furnish any of the following documentation that [he] **such person** is 21 years of age or over:

(a) A motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, **or province of Canada**, which bears the date of birth, name, address and picture of the licensee.

2 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

The bill recognizes a Canadian driver's license as a valid form of proof of age for the purposes of purchasing alcoholic beverages.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

Senator Bond moved to have HB 111 removed from the Table.
Adopted.

SENATOR BOND: I would like to slowly address HB 111. I would like to explain that the amendment in the calendar has a minor flaw in it, so I would like to accept HB 111 without amendment. Then I would like to propose a floor amendment.

Committee amendment failed.

Senator Bond offered a floor amendment.

SENATOR BOND: I move that we adopt the floor amendment which has been distributed. The language of this amendment is the same as the language in the calendar except that it specifies the number of moorings which can be approved subject to the approval by the governor and the council. It would be found on page 2, "Small Mooring Site." The definition of small mooring sites was incorrect in the calendar:

SENATOR DISNARD: Senator Bond, would you believe that the sportsmen in my area have a very strong problem with this bill? I refer specifically to the decals and not a hearing. The State of New Hampshire, in many instances, buys decals that are cheap. They don't stand up. Why should a person with a boat and a mooring whose decal washes off, not to his knowledge because of defective products, on a weekend go to his mooring, find out his or her boat has been removed without even a hearing. Could you explain that to me?

SENATOR BOND: Senator Disnard, I couldn't think of a worse miscarriage of justice than having somebody's boat removed because their decal came off their mooring. This amendment addresses the effective date on which this will take place so that the Department of Safety has the available decals and that they have decals that adhere to moorings so that people are not mistreated.

SENATOR DISNARD: Then why would you not make this Inexpedient to Legislate or table it for another year or refer it back to committee to protect the sportsman.

SENATOR BOND: The purpose of this bill is to enforce the law. Right now, you apply for a decal. You were refused. You appeal. The ice comes in. You pull your mooring. You drop it in next year. You apply for a decal. You are denied. You appeal. The ice comes in. Presently this is an evasion of the intent of the mooring bill and the

purpose of this bill is to make it possible for Safety to enforce the legislation that we have on the books.

SENATOR DISNARD: Would you believe that I don't understand that explanation. Because what I am referring to is Roman Numeral 4, first paragraph of your amendment. "The director shall remove or cause removal of any mooring and any boat that may be moored on the five lakes and does not have the proper decal. Such removal shall be without the right to a prior hearing." I would be a little upset if I went on Sunday morning, if I owned a boat and found out it was removed and an inquiry and investigation had found that the decal had washed away. I would assume there would be a hearing. Then remove the boat if it was shown that someone did not pay their proper fees.

SENATOR BOND: The purpose of that line is because there are so many people presently using that sort of excuse to evade. There is no appeal process because the appeal process has already taken place. You have made application and if your application is not agreed to, then you continue to leave your mooring in the water, and nothing happens.

SENATOR NELSON: I also would rise to question the same thing that Senator Disnard is questioning and that is even though you are saying one thing, would you believe that you are interpreting the legislation and that in fact what it says here, in fact, is that this will be removed without the right to prior hearing. And the question is specifically this. Do you not feel again government is again interfering in the life of people, number 1, and, number 2, we are denying them the right to a fair hearing to object to this so that Safety can come right in there again. Again we have the police coming right into the person's place and taking something out and we are taking their rights away from them.

SENATOR BOND: Sure.

SENATOR DUPONT: Senator Bond, isn't the real truth of the matter on this piece of legislation that the state is having a very, very difficult time in enforcing a mooring law that was put in place to protect our lakes and to protect the rights of the citizens of the state who want to use the lakes and in fact, what we are talking about is a small group of people who are abusing the laws that are going to be the focus of what happens when they go out and pull moorings. And it is not different, is it not, than when somebody parks their car in

the wrong place they get their car towed? And they can complain all they want about it, but they shouldn't have parked there in the first place.

SENATOR BOND: That is very true, Senator Dupont, and I would be the first one to defend the rights of the individual that Senator Disnard represents, if somebody, in fact, comes forward and says that that had happened to them. But I don't foresee that happening to them, if this statute is properly applied.

SENATOR MC LANE: To continue this soft line of questioning from someone who also agrees that we do need a mooring law, isn't it true that on most lakes and most law enforcement officers on lakes are well aware of who has bought the decal and which moorings are legal. And that you don't have a situation where boats are getting hauled away unless they have reason to believe that they haven't bought the decal originally.

SENATOR BOND: Yes, I would agree with that completely, Senator.

Floor Amendment to HB 111

Amend RSA 270:61, IV as inserted by section 1 of the bill by replacing it with the following:

IV. After October 1, 1989, the director or his agents shall remove or cause the removal of any mooring, and any boat that may be moored to it, on the 5 lakes cited in paragraph I if it does not have the appropriate decal. Such removal shall be without the right to a prior hearing and at the expense of the owner of the mooring pursuant to RSA 270:66, IV.

Amend RSA 270:59, VIII as inserted by section 2 of the bill by replacing it with the following:

VIII. "Shorefront property" means any property recognized as a legal building lot by a municipality, having shore frontage on public waters, **including a lot on the public waters that is divided by a road so that the buildable portion of the lot is on the opposite side of the road from the public waters.** Shorefront property shall not mean a deeded right-of-way, nor shall it mean lots not contiguous to the shore with any other type of legal shorefront access. For the purposes of this subdivision, property owned in common by condominium associations or other groups shall be deemed owned by the group and shall not convey any rights under this subdivision to its individual members.

Amend RSA 270:59, XI as inserted by section 3 of the bill by replacing it with the following:

XI. "Small mooring sites" means sites consisting of 2 to 4 moorings, inclusive.

Amend the bill by replacing section 6 with the following:

6 Expiration of Permit. Amend RSA 270:62, VI to read as follows:

VI. Each permit granted under this subdivision shall expire [5 years] **on December 31 of the fifth year** from the date of issuance.

7 New Subparagraph; Rulemaking; Authority for Permit Classification. Amend RSA 270:71, I by inserting after subparagraph (j) the following new subparagraph:

(k) Classifying permits according to length and weight of the boat.

8 New Paragraph; Penalty for Using Mooring Lacking Permit. Amend RSA 270:72 by inserting after paragraph III the following new paragraph:

IV. Any person who moors or attaches a boat or vessel to a mooring which has not received a permit pursuant to this subdivision shall be guilty of a violation for the first offense and guilty of a misdemeanor for a subsequent offense.

9 Transition. The provisions of RSA 270:61, IV as inserted by section 1 of the bill shall not apply to any mooring that is part of a public or congregate mooring field for which there is an application pending pursuant to this subdivision as of the effective date of this act.

10 Effective Date. This act shall take effect upon its passage.
Amendment adopted.

Senator Heath offered a floor amendment.

SENATOR HEATH: As I explain this, I want to say one thing first about the bill. We have already passed this language in the Senate bill that went over to the House and the important part of this bill is really not that section, since that is going to be back in another piece of legislation. The important part that nobody has spoken to here and I think it has other consequences the amendment that I offer to you, because of the passage of this prior floor amendment, needs to be renumbered. I want to make this clear for the record. The corrections are number 6 of the amendment should be re-numbered 10 and number 7 of amendment should be numbered 11. The language in that amendment nothing in this act shall be construed as creating any ownership of real or personal property "is the sole language of the bill. The effective date is just moved down a notch by this. The

reason for this is, is as you are talking about shoreline property definitions in the piece of legislation and at the very least you would want to be certain that you are not creating real property, new classes of real property or altering the ownership of a property that belongs to the state and that by this insertion you are potentially saving the liability of the state having to buy back or not regulate moorings in the future, moorings, real property, or personal property. So that is a caveat that is already in the moorings law in the other sections that already exist and this is simply a safeguard to make sure that we don't do anything that our successors will pay for in the future.

SENATOR BOND: Senator Heath, I noted that your new section 11 changes the effective date which my amendment had changed to upon passage to October 1, 1989. Is that a significant change?

SENATOR HEATH: That is an unintentional change. And I believe that probably came from the reading of the original bill as we saw it in our packet today. For the record, could I carefully delineate what should be this floor amendment so that it can be done and everyone can understand.

SENATOR BARTLETT: We would like to pass and correct HB 111. The amendment you have before you has a couple of problems. One is that 6 goes to 10, 7 goes to 11 and the effective date is not October 1, 1989, it is effective upon passage. Is that correct, Senator Heath?

SENATOR HEATH: Number 7 should be numbered 11 and should read effective upon passage.

Floor Amendment to HB 111

Amend the bill by replacing section 10 with the following:

10 Applicability. Nothing in this act shall be construed as creating any ownership of real or personal property.

11 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

ANNOUNCEMENTS

HOUSE MESSAGE

HOUSE REQUESTS CONCURRENCE WITH AMENDMENTS

SB 53-FN, relative to assessing time share interests.
Senator Freese moved concurrence.

Adopted

SB 54-FN, conditionally extending the date for raising of funds by the trust fund for the prevention of child abuse and neglect.

Senator Charbonneau moved concurrence

Adopted.

SENATE NONCONCURS WITH HOUSE AMENDMENT REQUESTS COMMITTEE OF CONFERENCE

SB 70-FN-A, relative to the technical assistance provided to municipalities by the office of state planning.

Senator Charbonneau moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Freese, Bartlett, Stephen.

HOUSE ACCEDES TO SENATE REQUEST FOR A COMMITTEE OF CONFERENCE

SB 108-FN, relative to Skyhaven Airport in Rochester.

Conferrees are: Phelps, Brown, Wheeler, Callaghan.

ENROLLED BILLS REPORT

HB 10, relative to supervisors of the checklist for the Conway annual town meeting.

HB 14, relative to legalizing town meetings.

HB 99, relative to establishing a uniform fine schedule for fish and game law violations.

HB 365, relative to automobile transporters.

HB 369, relative to assumption of a town office after a recount.

HB 370, relative to collision coverage deductibles.

HB 680, relative to review of studies on recycling uses for bottom ash.

HB 691, relative to recording of ancient plats.

SB 63, relative to enforcement of child medical support.

SB 104, relative to land acquisition for the construction of a ramp on Route 3 at the Massachusetts border.

SB 197, granting the bureau of fire safety the authority to regulate liquid propane gas pipeline safety.

Senator Currier for the committee.

Adopted.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, that the bills ordered to third reading be read a third time by this resolution, all titles be the same as adopted and that they be passed at the present time; and that when we adjourn, we adjourn until Tuesday, May 2, 1989.

Adopted.

LATE SESSION

Third Reading and Final Passage

HB 91-FN, relative to the New Hampshire technical institute and vocational-technical colleges.

HB 145-FN, relative to children and youth services.

HB 178-FN, relative to continuing the study committee reviewing the liquor laws.

HB 270-FN-A, relative to motorcycle safety, establishing a motorcycle rider safety fund, and a continual appropriation therefor.

HB 290-FN-A, to recognize that the automation activities of the department of revenue administration should be modernized.

HB 521-FN, regarding a state loan for the Monroe sewage treatment facility.

HB 661-FN, relative to notification to downstream municipalities concerning effluent discharges.

HB 98-FN, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs.

HB 114-FN, allowing the district courts to approve petitions for services other than counsel.

HB 144-FN-A, relative to minor mothers and their infants and making an appropriation therefor.

HB 28, prohibiting internal combustion engines on Willand Pond in the cities of Somersworth and Dover.

HB 81-FN, relative to dam permitting authority.

HB 117-FN, relative to feeding garbage to swine.

HB 146-FN, relative to the milk standard.

HB 271-FN, relative to fish and game license fees.

HB 605-FN, relative to recycling logo.

HB 615-FN, establishing a pilot program relative to medical, hospital, and remedial care in worker's compensation.

HB 187-FN, relative to the rulemaking authority of the board of medicine.

HB 155, relative to correcting defects in the March 10, 1987 Hooksett school district election ballot and the March 14, 1989, Marlborough town meeting.

HB 239, relative to legalizing town meetings.

HB 29, relative to purchasing alcoholic beverages.

HB 111, relative to moorings.

Senator Dupont moved to adjourn.

Adopted.

Adjournment

May 2, 1989

The Senate met at 1:00 p.m.

A quorum was present.

Senator Disnard in the Chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, the time is short! Help us to do the best we can with what we have! Like the parable in the Bible of the caring of the multitude - with four barley loaves and two small fishes. From a small beginning much was accomplished. Bless us Lord, we give you thanks for what we receive.

Amen

Senator Currier led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGES

HOUSE CONCURS

SB 8, relative to workers' compensation coverage of firemen.

SB 145-FN, to authorize municipalities to establish special revenue funds.

SB 174-FN, relative to regulation of estheticians.

SB 185-FN, establishing a board of natural scientists study committee.

HOUSE NONCONCURS

SB 121, establishing the Pittsfield regional solid waste cooperative.

SB 128, relative to subdivision approval by planning boards.

SB 132-FN, relative to Rockingham Park and the Rochester Agricultural Mechanical Association, Inc.

SB 137-FN, relative to the language, phrasing, and explanation of ballot questions.

SB 139-FN, relative to notifying property owners of zoning changes.

SB 166, relative to modifying planning board procedures on plats and relative to invalid zoning ordinances and appeals to the superior court.

SB 192-FN, relative to certification of landscape architects.

COMMITTEE REPORTS

HB 32-A, relative to the Hampton seawall and making an appropriation therefor.

Ought to Pass. Senator Preston for the committee.

SENATOR PRESTON: This pertains to a subject that you have long heard about. It approves the finishing of the old section of the seawall. The new one will be complete, hopefully this July and there is a section in here that reinstates 50 percent of the obligation for paying for the bonds for the seawall to be paid for out of the parking meter fund. The users of the beach facilities are to pay 50 percent as has been done for the last 35 to 40 years and retiring the seawall debt.

SENATOR JOHNSON: Senator Preston, if we pass HB 32-A, will we now have paid for the Hampton seawall?

SENATOR PRESTON: Sir, you will have paid for it fully completed. This is the end of the Hampton seawall. This is the final bill.

Adopted. Ordered to Third Reading.

HB 166-FN-A, relative to capital projects for the department of fish and game and authorizing a maintenance and construction crew for the fish and game department and making an appropriation therefor.

Ought to Pass. Senator Preston for the committee.

SENATOR PRESTON: This legislation will cost some money, but I want to make it very clear that we will fund it out of the proposed \$5.00 increases in the various hunting and fishing licenses. What the bill would do would be to increase up to \$150,000 those accounts that would not be required to go out to public bid and would allow their own crews to go out and make repairs. In some instances, in going through the bid process, it has taken one to two years to get a project initiated or completed. This way the department can send someone up to the hatcheries and make the necessary repairs up to

\$150,000 as needed on an emergency basis. It should be more efficient and will tend to keep the facilities that the sportsmen use in better repair.

Adopted. Ordered to Third Reading.

HB 210-FN-A, relative to improvements in fire protection for the state house, phase II and III.

Ought to Pass. Senator Nelson for the committee.

SENATOR NELSON: This bill does exactly what it says it is going to do. It is going to appropriate \$277,000 to the Joint Committee on Legislative Facilities for improvements for fire protection for the State House.

Adopted. Ordered to Third Reading.

HB 305-FN, amending the 10-year highway plan.

Ought to Pass. Senator Torr for the committee.

SENATOR TORR: This bill amends the ten-year highway plan by authorizing a community oriented regional study to be conducted along the U.S. Route 3 and New Hampshire Route 11 transportation corridor for a stage implementation of the improvements. You probably recall in the past several sessions we have had the Laconia-Franklin bypass issue before us. The last time they came before Capital Budget, we instructed all parties concerned to take and come together with a meeting of the minds and come forward with a plan that is harmonious in thinking. This has occurred at this time. In addition to that, there is no appropriation to this piece of legislation.

Adopted. Ordered to Third Reading.

HB 354-FN-A, making an appropriation to fund improvements in Cardigan State Park.

Ought to Pass. Senator Torr for the committee.

SENATOR TORR: This bill appropriates \$20,000 to the Division of Parks and Recreation for the purpose of building a shelter at the head of the trail at Cardigan State Park, and installation of a potable water supply. This is the first time any improvements have occurred in this park in probably about 40 years. It is basically an enhancement program because the group by the name of the Highlanders are volunteers who have cut trails and done a lot of volunteer work and with this money, it will just gain some enthusiasm to do more work for that park.

Adopted. Ordered to Third Reading.

HB 509-FN, authorizing industrial development financing for the Manchester Airport.

Ought to Pass with Amendment. Senator Roberge for the committee.

SENATOR ROBERGE: INC. Magazine stated that the Manchester - Nashua area was the fastest growing area in the nation relative to job generation, employment, and business start-ups. Manchester airport is an increasingly important element in the transportation system serving New Hampshire. The airport's importance is measured by economic contribution it makes and its expanding service role in the State of New Hampshire. I urge Ought to Pass as amended.

SENATOR STEPHEN: This airport in Manchester is vital and very important for the business and industry of the city and the state and also for people traveling from Manchester to other parts. This will stop people from going to Boston and to a busier airport and I think it would add an awful lot to bringing industry to the state and helping the people of our state. I urge you to pass it.

Amendment to HB 509-FN

Amend the bill by replacing section 8 with the following:

8 State Guarantee. In view of the general public benefits expected to be derived from the projects to be financed under this act, and their contribution to the social and economic prosperity of the state, the governor and council may award an unconditional state guarantee of the principal of bonds issued under this act, notwithstanding the provisions of RSA 162-I:10. The statement required by RSA 162-I:8, III and the finding required by RSA 162-I:9, II(b)(4) shall be modified to reflect the award of any state guarantee. The full faith and credit of the state shall be pledged for any such guarantees, but the total amount of the principal of bonds guaranteed by the state under this section shall not exceed \$25,000,000. The governor, with the advice and consent of the council, is authorized to draw his warrant for such a sum out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. The state's guarantee shall be evidenced on each guaranteed bond by an endorsement signed by the state treasurer in substantially the following form:

The state of New Hampshire hereby unconditionally guarantees the payment of the whole of the principal of the within bond and for the performance of such guarantee the full faith and credit of the state are pledged.

State Treasurer

In connection with the award of a state guarantee, the governor and council may impose such terms and conditions as they may deem appropriate concerning the bonds, the use and operation of the airport facilities and the revenues therefrom, and reimbursement to the state if any state funds are used to honor the guarantee. Such terms and conditions may be contained in an agreement between the state and the city, to be executed on behalf of the state by the governor and the state treasurer and on behalf of the city by the authorized officers.

Amendment adopted. Ordered to Third Reading.

HB 715, relative to a capital improvement plan; the capital budget; and a debt management plan.

Interim Study. Senator Torr for the committee.

SENATOR TORR: HB 715 was a major policy change with many deficiencies in it. Even though the thrust of the bill and the philosophy has some great merit, it was the feeling of the committee, due to the time constraints, we really didn't have time to correct those deficiencies. Therefor the committee recommends Interim Study.

Adopted.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 80-FN, relative to land under jurisdiction of the Wetlands Board.

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: HB 80 redefines land bordering tidal waters, for the purposes of being under the jurisdiction of the Wetlands Board, to mean tidal areas within a 100 feet of high tide line. This makes it possible for the average person to determine where the high tide line is rather than having to hire a surveyor to find a spot 3 and 1/2 feet above mean high tide. At the request of the Wetlands Board, this bill and its amendment, which increases the civil penalties lev-

ied by the Wetlands Board for violations of RSA 483-A and clarifying provisions relating to equitable relief and criminal penalties, is submitted to you.

SENATOR JOHNSON: Senator Bond, did I understand you to say that increasing the penalty from \$5,000 to \$10,000 would be by the Wetlands Board itself as opposed to the Court?

SENATOR BOND: That is the maximum civil penalty, yes.

SENATOR JOHNSON: To be levied by the Court or the Wetlands Board?

SENATOR BOND: The Court may, upon separate petition of the Attorney General. The fourth line down in that section.

SENATOR JOHNSON: Does this amendment change the amount of administrative fines that can be levied by the Wetlands Board?

SENATOR BOND: By the Court, not the Wetlands Board.

SENATOR JOHNSON: So it doesn't have any effect on the administrative fine structure currently authorized for the Wetlands Board?

SENATOR BOND: It is affecting the structure in that each day of continuing violation shall be a separate violation, which means that it becomes a very significant amount very quickly.

SENATOR JOHNSON: Was there any evidence that the \$5,000 maximum was actually being utilized now and that we therefore needed to increase this by \$5,000?

SENATOR BOND: The testimony was that the \$5,000 per incident situation is not effective in getting the attention of major violators.

Amendment to HB 80-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to land under the jurisdiction of the wetlands
board and relative to the penalties of
the wetlands board.

Amend the bill by replacing section 3 with the following:

3 Permit Required. Amend RSA 483-A:1, I to read as follows:

I. No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent

to any waters of the state without [written notice of his intention to construct, excavate, remove, fill or dredge to] a **permit from** the wetlands board. The [notice] **permit application** shall be sent to the wetlands board and shall be accompanied by a filing fee. The [filing] **permit application** fee shall be \$10 for minimum impact projects, \$25 for minor projects, and \$100 for major projects. At the time of filing with the wetlands board, said person shall also file 3 copies of the [notice] **permit application**, with a detailed plan, including a map showing the exact location of the proposed project with the town or city clerk. The town or city clerk shall immediately send a copy of the [notice] **permit application** to the selectmen, mayor or city manager, the municipal planning board, if any, and the municipal conservation commission, if any, and may require an administrative fee not to exceed \$2. The copies of the [notice] **permit application** shall be made reasonably accessible to the public.

4 Clarification. Amend RSA 483-A:4-a, VI to read as follows:

VI. The board shall not grant a permit with respect to any activity proposed to be undertaken in or adjacent to an area mapped, designated and filed as a prime wetland pursuant to RSA 483-A:7 unless the board first notifies the selectmen or city council, the planning board, if any, and the conservation commission, if any, in the municipality within which the wetlands lie, either in whole or in part, of its decision. Any such permit shall not be issued unless the board is able, specifically, to find on the basis of clear and convincing evidence in the record of the proceedings, and after public hearing, that the proposed activity, either alone or in conjunction with other human activity, will not [impair] **result in the significant net loss of** any of the values set forth in RSA 483-A:1-b. This paragraph shall not be construed so as to relieve the board of its statutory obligations under this chapter to protect wetlands not so mapped and designated.

5 Criminal Penalty. RSA 483-A:5 is repealed and reenacted to read as follows:

483-A:5 Criminal Penalty. Whoever recklessly or knowingly fails, neglects or refuses to comply with this chapter; rules adopted under this chapter; an order or condition of a permit issued under this chapter; or recklessly or knowingly misrepresents any material fact in connection with any activities regulated or prohibited by this chapter; whether or not the owner of the land in question, shall be guilty of a misdemeanor if a natural person and guilty of a felony if any other person.

6 Civil Penalty Increased. Amend RSA 483-A:6 to read as follows:

483-A:6 Civil Penalty. Failure, neglect or refusal [to obey a lawful order of the wetlands board issued relative to activities regulated or

prohibited by this chapter] **to comply with this chapter or rules adopted under this chapter, or an order or condition of a permit issued under this chapter**, and the misrepresentation by any person of a material fact made in connection with any activities regulated or prohibited by this chapter shall be deemed violations of this chapter. The court may, upon separate petition of the attorney general, or in connection with a petition for equity relief, levy upon any person who violates [any provision of] this chapter, whether or not [he is] the owner of the land in question, a civil penalty in an amount not to exceed [\$5,000] **\$10,000 per violation. Each day of a continuing violation shall constitute a separate violation.** The proceeds of any civil penalty levied pursuant to this chapter shall [either be utilized by the wetlands board for the restoration of the area affected by the violation or placed, when deemed appropriate by the board,] **be placed** in a nonlapsing fund held by the treasurer, and which may be expended by the board, subject to the approval of the governor and council, for the purpose of **restoration**, research [and], investigation **and enforcement** relative to wetlands.

7 New Section; Equity. Amend RSA 483-A by inserting after section 6 the following new section:

483-A:6-a Removal; Restoration; Equity Relief. Whoever fails, neglects or refuses to comply with this chapter or rules adopted under this chapter, or an order or condition of a permit issued under this chapter, or misrepresents any material fact made in connection with any activity regulated or prohibited by this chapter, whether or not the owner of the land in question, shall be liable for the removal of fill, spoil or structure placed pursuant to such a violation and the restoration of any wetlands disturbed in connection with the violation. The superior court shall have jurisdiction to order such relief and such additional relief in equity as may be appropriate.

8 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill redefines land bordering on tidal waters, for the purposes of being under the jurisdiction of the wetlands board, to mean tidal areas within 100 feet of high tide line. Current law defines such land as areas with a surface at an elevation not exceeding 3-1/2 feet above local mean high tide.

This bill also increases the civil penalty levied by the wetlands board for violations of RSA 483-A and clarifies provisions relating to equitable relief and criminal penalties.

This bill is a request of the wetlands board.
Amendment adopted. Ordered to Third Reading.

HB 289 relative to stumps, leaves, and yard waste.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill removes tree or shrub trimmings or grass clippings from the paragraph on solid waste disposal and it redefines it in the area of composting which allows communities to encourage composting of these materials, rather than just their disposal as a solid waste. The amendment basically represents a compromise that was come to between developers and the Department of Environmental Services which relates to burial of stumps, stump dumps. And it is on page 11 and it just requires that you record the location of buried stumps so that unwarranted building and other changes won't occur where these stumps are located. The committee urges the Senate to adopt its motion of Ought to Pass with Amendment.

Amendment to HB 289

Amend the bill by replacing section 1 with the following:

1 Change Definition. Amend RSA 149-M:1-a, XVII-a to read as follows:

XVII-a. "Refuse" means and includes any waste product, solid or having the character of a solid rather than a liquid in that it will not flow readily without additional liquid, and which is composed wholly or partly of such materials as garbage, swill, sweepings, cleanings, trash, rubbish, litter, industrial solid wastes or domestic solid wastes; organic wastes or residue of animals sold as meat; fruit or other vegetable or animal matter from kitchens, dining rooms, markets, food establishments or any places dealing in or handling meat, fowl, fruits, grain or vegetables; offal, animal excreta, or the carcasses of animals; [tree or shrub trimmings or grass clippings;] brick, plaster or other waste matter resulting from the demolition, alteration or construction of buildings or structures; or accumulated waste material, cans, containers, tires, junk, or other such substances which may become a nuisance.

Amend RSA 149-M:13, VII as inserted by section 4 of the bill by replacing it with the following:

VII. Towns and counties are authorized and encouraged to create and use compost and wood chips in parks and highways and to sell or freely distribute municipally created compost and wood chips to its citizens.

Amend the bill by replacing section 5 with the following:

5 Exception Added. Amend RSA 149-M:1, XIX, to read as follows:

XIX. "Solid waste" means any matter consisting of putrescible material; refuse; septage; sludge from a waste treatment works, water supply treatment works, or air pollution control facility; and other discarded or abandoned material. It includes solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities. For purposes of this chapter, it does not include hazardous waste as defined in RSA 147-A:2, solid or dissolved materials in irrigation return flows; [or] **cut or uprooted tree stumps incident to clearing of land depicted on a site plan showing burial locations and mailed to the director, provided that such burial locations are not located within 75 feet of any well as defined in RSA 148:34;** municipal and industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended; or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended.

6 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill removes "tree or shrub trimmings", "grass clippings" and other yard waste from the definition of "refuse" and specifies that tree stumps incident to the clearing of land are not solid waste under certain circumstances. It defines compost and encourages municipalities to practice composting, and to utilize and to distribute compost to their citizens.

Amendment adopted. Ordered to Third Reading.

HB 332-FN-A, relative to the collection and reclamation of motor vehicle wastes.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill enables municipalities to charge an additional fee on top of automobile registrations to pay for the disposal of used oil, tires, and batteries. The amendment sets up a three tiered pricing system, a fee system for the collection of the fees so that this would not be construed as a tax rather than a fee. This is really one of the first efforts that we have made on a state-wide basis to try and to help municipalities deal with a very serious disposal problem and without having to tax everybody for this service. We urge the Senate to adopt the committee motion of Ought to Pass with Amendment.

Amendment to HB 332-FN-A

Amend the bill by replacing section 9 with the following:

9 New Paragraph; Additional Fees. Amend RSA 261:153 by inserting after paragraph IV the following new paragraph:

V. Beginning July 1, 1989, in addition to each registration fee collected under paragraph I, there may be collected an additional fee for the purposes of a town reclamation trust fund as established in RSA 149-M:13-a. Of this amount, \$.50 shall be retained by the city official designated by the city government or by the town clerk for administrative costs and the remaining amount shall be deposited into the reclamation trust fund established by the town for the purpose of paying collection and disposal fees for the town's motor vehicle wastes. A town which collects such additional fees shall not charge a disposal fee for motor vehicle waste as the town's solid waste disposal facility. If a town finds the additional fee is not sufficient to cover fees for collection and disposal of town motor vehicle waste, it shall notify the office of state planning. The office shall study the fee in accordance with RSA 4-C:1 and make recommendations, if necessary, for increases in the fee. The additional fee schedule shall be graduated by class of vehicle as follows:

(a) The fee for heavy vehicles, including mobile homes and house trailers, heavy trucks and truck-tractors whose gross weight exceeds 18,000 pounds, and buses shall be \$5.

(b) Unless otherwise provided, the fee for automobiles, light vehicles including trucks, and commercial motorized vehicles including tractor trailers, shall be \$3.00.

(c) Unless otherwise provided, the fee for special use vehicles including all-terrain vehicles, agricultural and farm vehicles, and historic vehicles and for 2-wheeled vehicles including mopeds, motorcycles, and non-motorized car and boat trailers, shall be \$2.00.

Amendment adopted. Ordered to Third Reading.

HB 486-FN, relative to clearing land and cutting timber:

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: The amendment to this bill will be found on page 13. This bill was put in basically by the Timberland Owners Association to deal with the growing problem of the black eye which development clearing of land is giving to timber harvesting, which is not related to development. The purpose of this bill is to see that the foresters in this state, before they let somebody off the hook for cutting the basal area or the fifty percent of the timber of within fifty feet of brooks and roads, are legitimately permitted to go ahead

with building before they do that cutting. The problem has been that people have said "we're clearing this lot for construction purposes, development purposes" and then they fail to go ahead with development after they have stripped the land to its boundaries. The amendment makes it necessary that the local permits must be reviewed by the local forester before the clearing of the land actually takes place.

SENATOR KING: Senator Bond, is it your understanding that, as you have amended this, that the planning board in a town would have some say over the amount of basal area that was left along a river or a lake?

SENATOR BOND: It would prevent the removal of the 50 percent basal area which state statute now requires. Unless it has issued the building permits which are related to the site development that the builder would not have the right to remove that without penalty.

Amendment to HB 486-FN

Amend RSA 224:44-a, IV as inserted by section 2 of the bill by replacing it with the following:

IV. Timber cutting for land conversion purposes, other than timber growing and forest uses, shall be exempt from this section if those persons intending to convert the use of the land have secured all required local permits including, but not limited to, building, subdivision or zoning permits, excavation permits, or site plan approval necessary for the use to which the land will be converted, and are able to furnish proof of such permits.

Amendment adopted. Referred to Finance (Rule #24)

HB 516-FN, relative to illegal dumping of garbage.

Ought to Pass with Amendment. Senator Krasker for the committee.

SENATOR KRASKER: HB 516 authorizes towns to levy civil penalties up to \$3,000, it has been up to \$1,000, for violations of by-laws relative to illegal dumping of garbage. The current \$1,000, we have been told, just is not adequate and the increase in fines will give towns the ability to better regulate their facilities. The amendment on page 14 gives district courts the jurisdiction over any violations under this statute. We urge its adoption.

Amendment to HB 516-FN

Amend RSA 149-M:13, II as inserted by section 1 of the bill by replacing it with the following:

II. A town may make bylaws governing the facility and fixing reasonable rates for its use. **Notwithstanding RSA 31:39, III, towns are authorized to levy civil penalties up to \$3,000 for each act of violating bylaws enacted pursuant to this section. Notwithstanding any other provision of law, the district court shall have jurisdiction over any violation under this paragraph.**

AMENDED ANALYSIS

This bill specifically authorizes municipalities to levy civil penalties for each violation of bylaws enacted for the purpose of governing a septage and solid waste facility established by such municipalities. It gives the district courts jurisdiction over such violations. Amendment adopted. Ordered to Third Reading.

HB 755-FN, establishing a committee to study shoreline protection. Ought to Pass. Senator Bond for the committee.

SENATOR BOND: This bill establishes a study committee, the composition of which you will find on page 2 of the bill. We heard considerable testimony about others who might be added to it but the committee decided that it was such a large committee and that the recommendations would have to go before a policy committee anyway, that we would not amend it. It is to recommend legislation for comprehensive shoreline protection in the future and Governor Gregg is particularly interested in seeing this become a part of his environmental plan.

Adopted. Referred to Finance (Rule #24).

Recess.

Out of Recess.

Senator Bass in the Chair.

HB 118-FN, relative to collision damage waiver.

Ought to Pass with Amendment. Senator Freese for the committee.

SENATOR FREESE: The bill in your folder as amended is not the bill we are acting on today. The Senate amended this bill back to its original state. It is a model bill by NAIC and the purpose of it is to prohibit rental car companies from imposing liabilities on renters subject to certain stated exceptions. You will find the amendment on page 9 and the exceptions are on page 10, a through g. It prohibits the sale of collision damage waiver in connection with the private passenger automobile rental agreements of 30 days or less. This bill got to the committee as amended in the House and caused a lot of

dissension with regard to the testimony. We felt in order to save the bill, we would have to revert to the original model bill and we did. Thus the reason for the amendment in your calendar. We hope you will support the committee report.

Amendment to HB 118-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Purpose. The purpose of this act is to prohibit rental car companies from imposing liability on renters, subject to certain stated exceptions, and to prohibit the sale of the collision damage waiver in connection with private passenger automobile rental agreements of 30 days or less.

2 New Chapter; Collision Damage Waiver. Amend RSA by inserting after chapter 407-D the following new chapter:

CHAPTER 407-E COLLISION DAMAGE WAIVER

407-E:1 Scope. This chapter shall apply to all persons and organizations renting private passenger automobiles from locations in this state.

407-E:2 Definitions.

I. "Authorized driver" means the person to whom a vehicle is rented; such person's spouse if a licensed driver satisfying the rental company's minimum age requirement; an employer or co-worker if engaged in business activity with the person to whom the vehicle is rented and if a licensed driver satisfying the rental company's minimum age requirement; any person who drives the vehicle during an emergency situation or while parking the vehicle at a commercial establishment, or any person expressly listed by the rental company on the rental agreement as an authorized driver.

II. "Damage" means any damage or loss to the rented vehicle, including loss of use and any costs and expenses incident to the damage or loss.

III. "Private passenger automobile" or "vehicle" means a motor vehicle of the private passenger type including passenger vans and minivans that are primarily intended for transport of persons.

IV. "Rental agreement" means any written agreement setting forth the terms and conditions governing the use of a private passenger automobile provided by a rental company.

V. "Rental company" means any person or organization in the business of providing private passenger automobiles to the public.

VI. "Renter" means any person or organization obtaining the use of a private passenger automobile from a rental company.

407-E:3 Practices Prohibited.

I. No rental company, in rental agreements of 30 consecutive days or less, shall hold any authorized driver liable for any damage, except where:

(a) The damage is caused intentionally by an authorized driver or as a result of his willful and wanton misconduct.

(b) The damage arises out of the authorized driver's operation of the vehicle while legally intoxicated or under the influence of any illegal drug as defined or determined under the law of the state where the damage occurred.

(c) The damage is caused while the authorized driver is engaged in any speed contest.

(d) The rental transaction is based on information supplied by the renter with the intent to defraud the rental company.

(e) The damage arises out of the use of the vehicle while committing or otherwise engaged in a criminal act in which the automobile usage is substantially related to the nature of the criminal activity.

(f) The damage arises out of the use of the vehicle to carry persons or property for hire.

(g) The damage arises out of the use of the vehicle outside of the United States or Canada unless such use is specifically authorized by the rental agreement.

II. No action for damage may be brought by a rental company against a renter who is a resident of the United States except in the state and county of the renter's primary residence.

III. No security or deposit for damage in any form may be required or requested by the rental company during the rental period or pending resolution of any dispute.

IV. No waiver may be offered to provide coverage for any of the exceptions enumerated in RSA 407-E:3.

407-E:4 Penalties. Any rental company, found by the insurance commissioner to have violated a provision of this chapter or to have proceeded with a lack of good faith to impose liability upon the renter as provided in this chapter, shall be subject to a fine of not less than \$500 nor more than \$1,000 for each violation in the discretion of the commissioner.

3 Effective Date. This act shall take effect on January 1, 1990.

AMENDED ANALYSIS

This bill prohibits an automobile rental company from holding a renter liable for automobile damage in certain situations, imposing

security or deposit fees for damage, or offering waivers to provide coverage for damage in certain situations where the rental agreement is for 30 consecutive days or less.

The bill also allows the insurance commissioner to levy penalties of between \$500 and \$1,000 against offending rental companies. Amendment adopted. Ordered to Third Reading.

HB 50, exempting the department of transportation, the department of safety, and the department of postsecondary vocational-technical education from the director of information services. Ought to Pass with Amendment. Senator Dupont for the committee.

SENATOR DUPONT: You have before you HB 50 as amended by the Internal Affairs committee. The amendment is on page 7. As the bill was originally passed by the Senate, there were three agencies that we were exempting from coming under the DIS authority for the data processing operations. We removed post-secondary education from that. We have legislation coming through the House that will set up a committee to hopefully get a handle, a permanent committee, to get a handle on data processing within the state of New Hampshire and the tremendous amount of money that we spend on that and the second portion of the bill deals with the title that is somewhat controversial in nature. But I can assure you that it is a sincere amendment and needs to be adopted by this body.

Amendment to HB 50

Amend the title of the bill by replacing it with the following:

AN ACT

exempting the department of transportation and the department of safety from the authority of the director of information services.

Amend the bill by replacing all after the enacting clause with the following:

1 Departments Added. Amend RSA 21-I:9, VIII(a) to read as follows:

(a) He shall exercise no management or other authority over the data processing operations of the liquor commission, the department of employment security, **the department of transportation, the department of safety,** or the university system of New Hampshire.

2 New Section; Prohibition on Future Employment. Amend RSA 21-I by inserting after section 14-a the following new section:

21-I:14-b Prohibition on Future Employment.

I. No commissioner, financial data manager, accounting director, director of information services, or director of plant and property management of the department of administrative services shall accept any employment, including work as a consultant or lobbyist, with any vendor of goods or services holding a valid contract with the department, in excess of \$10,000 over the previous 2 years, until 2 years after he shall become separated from the department.

II. No vendor of goods or services holding a valid contract with the department, in excess of \$10,000 over the previous 2 years, shall employ any commissioner, financial data manager, accounting director, director of information services or director of plant and property management of the department until 2 years after such employee has become separated from the department. Any such vendor who violates the provisions of this paragraph shall be barred from bidding on any future contract with the department for 5 years after such violation.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill exempts the data processing operations of the department of transportation and the department of safety from the authority of the director of information services.

The bill also prohibits certain officials within the department of administrative services from being employed by vendors of goods or services, who have had contracts with the department in excess of \$10,000 over the previous 2 years, until 2 years after such employee has become separated from the department. Vendors in violation of the prohibition will not be allowed to bid on future contracts with the department for 5 years.

Amendment adopted. Ordered to Third Reading.

HB 82-FN, relative to the police standards and training council. Ought to Pass with Amendment. Senator St. Jean for the committee.

SENATOR ST. JEAN: The committee met and urges passage on this legislation. It allows police standards and training councils to adopt rules and set fees for non-police and non-correction personnel. It also limits civil liability for volunteers. The amendment on page 9 makes a technical correction to the bill which adds New Hampshire Association of Domestic Insurance Companies.

Amendment to HB 82-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the police standards and training council and
the fire standards and training commission.

Amend the bill by replacing all after section 4 with the following:

5 Reference Change; Fire Standards and Training Commission.
Amend RSA 154-C:2, I(g) to read as follows:

(g) The insurance industry of New Hampshire, which members shall be recommended by the [manager of Insurance Services Office of New Hampshire] **New Hampshire Association of Domestic Insurance Companies;**

6 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill was requested by the police standards and training council.

The bill limits the civil liability of volunteers who assist the council in its training programs.

The bill corrects a statutory reference in a law dealing with police training programs for state hospital security officers and deletes the requirement that such training programs not exceed 2 weeks in duration.

This bill grants the police standards and training council the authority to adopt rules to set fees for the attendance of non-police and non-corrections personnel at its programs and for the use of its facilities. The bill also permits transfers of unappropriated amounts from the police standards and training council fund to meet unexpected costs of training police and corrections officers.

The bill also changes the qualifications for commissions as railroad police officers.

This bill provides that the New Hampshire Association of Domestic Insurance Companies shall recommend the representative of the insurance industry to serve on the fire standards and training commission.

Amendment adopted. Ordered to Third Reading.

HB 86-FN, relative to employer remittances to the New Hampshire retirement system and relative to retirement contributions by certain legislative and constitutional officers.

Inexpedient to Legislate. Senator Bartlett for the committee.

SENATOR BARTLETT: HB 86-FN is exactly what the act says. The Senate Internal Affairs had a committee meeting. There was no one who felt this bill was important enough to appear before the

committee and explain it. I think that the Senate committee knew fairly well that we had been through the special retirement fund for certain legislators and constitutional officers for approximately six years. We passed it a couple of years ago and all those members who chose to enter the system were able to do so. We fully realize that some of them had to borrow money at that time to join the system. It was well explained at that time that it was a one time opportunity to enter into the system and those people who wished to do so did it. We felt that it was improper to continually open this retirement system every time some one thought they would like to join it. So Inexpedient to Legislate is the recommendation from Internal Affairs.

Adopted.

HB 218, permitting a person to be the candidate for only one party. Inexpedient to Legislate. Senator Preston for the committee.

Senator Podles moved to substitute Ought to Pass with Amendment.

Senator Podles offered a floor amendment.

SENATOR PODLES: I would like to offer an amendment to HB 218. The amendment prohibits a person who ran in one party's primary from being the candidate of a different party in the state general election. Under current law, if a candidate chosen by party A in a primary election also receives 10 write in votes from party B, he can be the nominee of both parties and is allowed to appear on both sides of the ballot in the general election. Voters have no way of knowing his party affiliation. New Hampshire is the only state in New England which allows a candidate in one party to obtain the nomination of the opposite party if no one runs in that party. This amendment would take the confusion out of the election process and I don't really believe that you can be an "R" and a "D" at the same time. I think if the voters believe in you, they will vote for you. Individuals who receive the nomination on both the Republican and the Democratic tickets, I feel, have a distinct advantage over those who appear in only one column and I would urge you to vote for this amendment. It also exempts a single seat district.

SENATOR MAGEE: Senator Podles, do you agree with me that if this floor amendment is not passed we will continue to erode our two party system.

SENATOR PODLES: Yes, I believe it has.

SENATOR BARTLETT: For the record, I have read the amendment. I think the amendment has done very well for the Senate and I think it has taken care of all the Senate's concerns. I guess the question is a fairness issue. And the question in my mind is, shall we let the people decide who is going to be on the ballot in the absence of a full slate or shall we give the power to the parties, either Democrat or Republican parties. And the question here is whether the people who vote for the Democrat or Republican to vote on both sides is the issue or if you don't wish the people to decide, then you allow the party chiefs to decide who shall run on that vacant slot. My question is, do you want the Democrat or Republican party to be all powerful in picking slates or do we want to allow the people to do it?

SENATOR PRESTON: I just want to join with Senator Bartlett. I don't want to make any special classes or category of politician and I don't want to disenfranchise anyone of their right to vote whichever side of the ballot they put it on. So I am opposed to the amendment as presented by Senator Podles. This is a democracy. People knowingly vote for those they desire to do so and I don't think we should disenfranchise the voters of that right in any way.

SENATOR FREESE: In my several years of serving in the State Senate, I have only had one election when I was endorsed by both parties and it is a very pleasant experience. I'd hate to see that eliminated and therefore will not be supporting the amendment as introduced by Senator Podles.

Amendment failed.

Senator Preston moved to lay HB 218 on the table.

Adopted.

HB 397-FN, relative to composition of the dental board.
Ought to Pass with Amendment. Senator Podles for the committee.

SENATOR PODLES: The amendment is now the bill. It increases the membership of the board of dental examiners from seven to nine members adding one dentist and one dental hygienist. It increases from 3 to 5 the number of members necessary for a quorum. The committee recommends Ought to Pass with Amendment.

Amendment to HB 397-FN

Amend the bill by replacing section 1 with the following:

1 Dental Board; 2 Additional Members; Dental Hygienists. Amend RSA 317-A:2, I to read as follows:

I. There shall be a board of dental examiners consisting of [7] 9 members; including [5] 6 dentists, [one] 2 dental [hygienist] **hygienists**, and one public member, each to be appointed by the governor, with the approval of the council, to a term of 5 years. No member of the board shall be appointed to more than 2 consecutive terms. Only board members provided for in this paragraph shall have the authority to vote in board determinations.

AMENDED ANALYSIS

The bill increases the membership of the board of dental examiners from 7 to 9 members, adding one dentist and one dental hygienist. It increases from 3 to 5 the number of members necessary for a quorum.

Amendment adopted. Ordered to Third Reading.

HB 398-FN-A, relative to the return of revenue to cities and towns and making an appropriation therefor.

Inexpedient to Legislate. Senator Bartlett for the committee.

SENATOR BARTLETT: HB 398-FN relative to the return of revenue to cities and towns and making an appropriation therefor and the committee's recommendation is Inexpedient to Legislate. I would like to address that a little bit. There have been some statements around here that this body does not feel concerned about the cities and tax rates in towns. And if that were true, every member of Internal Affairs would have to take Rule 42, because every member of that committee pays real property taxes. And this legislation was scheduled to send real property taxes down. So if we really talk about helping yourself or not helping yourself, Senate Internal Affairs took what they thought was the proper and more honest approach to the legislation. I am sure that everyone in this body realizes that in the next few days, and the committees of conference to follow along, everything is going to be very tense around here. It always is and everybody is jumping up and down trying to go around and catch up and find out what is going on. And in that process there will be legislation passed and sometimes we wonder why we passed it. But we are going to be dealing with the budget which Senate Finance has heard and they have talked about and they are still talking about; they're going to talk about it this afternoon; they're going to talk about it tomorrow. They are going to talk about it the day after. Their problem is there is not enough revenue to cover the expenses of those programs that are presently in place. We have had

a slowdown in revenue and to institute any new program would not be honest with those people who are looking for fair shakes in the budget. There are no dollars. In 1993, New Hampshire Municipal Association estimates that this legislation of dedicated funds, which means it comes right off the top, will probably cost the State of New Hampshire \$6 million. Those who have followed the budget that has come over from the House, it is approximately \$37.2 million of continuing expenses that have been funded by temporary tax. The business profit tax is a temporary tax that expires June 30, 1991. Which means that those people who are budgeting for 92-93, are already, if we adopted the House budget, \$37.2 million out of whack without even getting started. This would make it \$43 million and if you are going to be fair with communities, you should tell them that you don't have the money. You recognize their problem. You know there are states now, I just picked this out of the State of Massachusetts, Massachusetts has got every tax in the world. They are now looking at a shortfall in April of \$1.8 million. That doesn't really solve the problem. If you read the Campbell report or if you have seen today's paper, the Campbell report says, and I am not demeaning the towns, that the money raised at the local level is best spent at the local level. They compare the state of Vermont and the state of New Hampshire. The state of Vermont has sales tax, income tax, all the taxes and yet when the report, I don't know how much of an expert the Campbells are, they have said that money raised at the local level gives the best services. And they have the fly paper effect in life. Which the Campbells theory is that as the money goes through the higher facet of government that some of the money sticks to the fly paper and stays at the higher level. So for every dollar raised at the higher level, by the higher level, a smaller portion goes back to the local level. But just to give you an idea that we started in 1989 of sending back revenue sharing of \$51,444,000. The total revenue was actually \$44 million out of the general and other sources and the highway fund included back to cities and towns was \$80,245,000. So when we use the \$51,444,000 it is really only a part of the money that was sent back to cities and towns on the municipal side. And then there is a fellow named Bob Wheeler, President of the Municipal Association, and he is the first Municipal Association that thanked us for the increased funding for education because he does realize that the increased funding from the State of New Hampshire does help their tax rate and we hope to continue that. If we had the money, I think that we would be happy to do this, but the money is not there and you are going to have a choice if you pass legislation like this that takes money away from the existing programs and the legislation does not take into consideration continued expenses on health care, tremendous amount of money, and you have the employ-

ees, which you have employee adjustment of salary and wage benefits, that expenditure the state has to meet. This would take away money from all programs. The committee felt it was Inexpedient to Legislate and I would be happy to answer any questions.

SENATOR BLAISDELL: I rise in support of the committee report from Internal Affairs. And I commend them for taking the hard stand. Certainly there is no one in this room that would not want to send that \$6 million back to the cities and towns and we are grappling. Senate Finance has been working night and day and as I look at some of the things here that Senator Hough has been working with the last couple of weeks, we talk about family support, community residences, day programs, case management, housing, community support, emergency in-take and hospital services, we are fighting for our dear life to be able to fund some of these things in Health and Human Services. If we do send that money back to the cities and towns, which I suppose all of us would like to do, certainly we would have to take it from here. And as I listened yesterday to over 200 or 300 people and some members of the Senate that came in to tell me that they want me to fund these programs. Senator Hough and Senator Podles were there yesterday. And by the way, I want you to know that the other members of Senate Finance were working on other parts of the budget. Senator Hough and Senator Podles and I sat and listened to those 200 or 300 people yesterday and some of them were upset because not all of the Senate was there. But that is the budget part that Senator Hough and Senator Podles and I have and we listened. But these are the things we are trying to do now. If, in better times, we have the money, certainly we should send it back, but I think Senator Bartlett has said it well. We have increased it over the years. And I know since I have been here, and some people may take me to task, but we talk about 25 to 32 percent increases to cities and towns. We have tried to accept our responsibilities but we do take over a lot of things that people don't talk about and you want to talk about settlement, court ordered placement of children in the court system. We have taken that over. The state is paying for that now, the cities and towns aren't. I would like to send it back, but let us fund these first and then come back.

Adopted.

Senators King, Currier, Nelson and McLane wished to be recorded as opposed to the decision.

HB 608-FN, establishing a study committee to examine the procedures of siting, licensing and operation of energy related facilities. Ought to Pass with Amendment. Senator Dupont for the committee.

SENATOR DUPONT: You have before you HB 608 and there was a problem with today's calendar in that it did not include the amendment that was adopted by the committee. And I believe that amendment has been distributed. Even though it wasn't in the calendar, it was in the package. All the amendment does is that it adds one additional representative from the utility side of the equation. The committee is made up of various constituencies who all have an interest in the siting of facilities and we felt that because of the significance of the utility industry and the number of utilities that are involved that the electric utilities ought to have two positions on the committee. So that was the only amendment.

SENATOR JOHNSON: Senator Dupont, I am looking at the title of HB 608 and it talks about the operation of energy related facilities and my question is, if there is an incinerator that's being established for the purpose of generating electricity, would this committee be looking at that kind of a facility also?

SENATOR DUPONT: Senator, off the top of my head, I would have to take a couple of minutes to review the bill again. But the intent I believe was specifically focused on energy producing facilities and under that definition I would assume that a waste managing facility would be included in that.

Amendment to HB 608-FN

Amend subparagraph III(e) as inserted by section 1 of the bill by replacing it with the following:

(e) Two representatives of the electric utilities and one of the natural gas utilities of the state, appointed by the governor and council.

Amendment adopted. Ordered to Third Reading.

HB 635-FN, relative to protecting federally subsidized housing.
Inexpedient to Legislate. Senator St. Jean for the committee.

SENATOR ST. JEAN: What this bill does is it requires owners of federally subsidized multi-family dwellings a twelve month notification period before you sell that property. It was the feeling of Internal Affairs, that the twelve month notification is much too long a period of time and we urge the adoption of the committee report.

SENATOR KING: Senator St. Jean, do you think that the committee would be willing to consider a shorter period, say a six month period, to be brought back in next year?

SENATOR ST. JEAN: I think that Internal Affairs would look at that, Senator, if it were brought in.

SENATOR KING: Was there any discussion about shortening the period of time in the Internal Affairs committee?

SENATOR ST. JEAN: We did discuss from 3 months to 6 months and it was the feeling at this point in the session that it would be better off to be killed.

SENATOR KING: Originally, this bill gave the opportunity for the tenants in a subsidized housing project to participate in the actual sale of the property, to actually participate in the bidding process. When it was passed over from the House, it was amended to just give those people a twelve month notice before the sale. With our concern about providing housing that is affordable to people, one of the greatest dangers that we have today is in losing these subsidized housing units in the affordable housing stock. I am not going to offer a motion to overturn this because the votes aren't there. What I would ask, though, is that all of you be aware that this is a serious problem. Something needs to be done, and that I will bring a bill back to the Senate next session with a shorter period of time for notice and I would hope that we would vote favorably on it at that time.

Adopted.

HB 664-FN, transferring enforcement authority over the equal pay act from the labor commissioner to the commission for human rights.

Ought to Pass. Senator St. Jean for the committee.

SENATOR ST. JEAN: This bill, what it does is formalize a practice that has been done informally for at least the last five years, so said Commissioner Flynn through his letter. He is very supportive of this legislation and we thought it was a good piece of legislation.

Adopted. Ordered to Third Reading.

HB 748, relative to anatomical gifts accepted by medical or dental schools.

Ought to Pass. Senator Heath for the committee.

SENATOR HEATH: This bill stemmed out of a terrible miscarriage of justice in the case where a gentleman gave his body to Dartmouth College and a funeral home absolutely screwed the process up and,

in fact, attempted to charge both Dartmouth College and the family for transportation and there is some question whether the transportation was authorized and so on. And, not only do we hope, on the Interstate Cooperation Committee, that you will pass this bill, but in doing so, send a message to the people in the business that this kind of treatment of families at this most vulnerable time in their lives, when they have just had a death in the family, is something that we in the Senate and certainly in the House, who have already spoken to this, won't tolerate and that we will be watching this industry for examples of this, and maybe come in with further legislation. I think that very few bills that we have seen come before this committee have been this unanimous in its sense of feeling of outrage of what took place in this situation and we think this will help correct it as well as send that message.

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 92-FN, imposing liens on certain nursing homes.

Inexpedient to Legislate. Senator Podles for the committee.

SENATOR PODLES: HB 92 allows the director of the Division of Human Services to place a lien on a skilled nursing or intermediate care facility that is enrolled as a provider in the Medicaid Assistance program. The purpose is to recover money owed to the state as a result of previous Medicaid assistance payments paid to the facility in recapture of depreciation upon sale of the facility. The bill penalizes long term ownership and would discourage nursing homes from accepting medicaid patients, thereby reducing access to the needy. The committee recommends Inexpedient to Legislate.

Adopted.

HB 264-FN, prohibiting the distribution, sale, possession or use of anabolic steroids except for purposes of medical treatment.

Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 264 provides that any person who prescribes, sells or provides or distributes anabolic steroids for the purposes other than treatment of a medical problem shall be guilty of a class B felony. It also states that any person who uses or possesses with the intent to use anabolic steroids for purposes other than treatment of a medical problem or an injury shall be guilty of a mis-

demeanor. The medical association and also the New Hampshire Interscholastic Sports group favored the bill and the committee recommends Ought to Pass.

Adopted. Ordered to Third Reading.

HB 637, relative to the conduct of tax sales for failure to pay real estate taxes.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill arises out of a recent court case White vs. the town of Wolfeboro in which the town sold an undivided share of this individual Mr. White's land for collection of back taxes. The problem was that he didn't owe very much tax and he had quite a bit of land. He sued under the existing law that it is not clear as to whether or not the towns were entitled to take all the land in an undivided fashion. And he was basically successful. The problem is that this has thrown all titles into question now and has made land transactions very difficult to affect. What the bill basically does is clarify the statutory law to provide that towns, when they sell land at auction for tax liens, can sell an undivided interest. It is our intention after the adoption of the amendment to send this question to the Supreme Court for their opinion as to the constitutionality of the bill and we will take further action later in point. We urge your adoption of the amendment.

Amendment to HB 637

Amend the bill by replacing sections 4 and 5 with the following:

4 Curative Statute Expressly Applicable. The terms of RSA 80:39 are hereby declared to be, and to always have been, expressly applicable so as to bar, after 10 years from the date of record of the collector's deed, any and all claims that a tax sale or any collector's deed based thereon conveyed a greater percentage of the estate than was authorized under Public Law 66:22 as enacted by 1925, 61:1, and as recodified in Revised Laws 80:22 and RSA 80:24; and RSA 80:24-a, as enacted by 1961, 30:1.

5 Severability. If any provisions of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provisions or applications, and to this end provisions of this act are severable.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill clarifies statutory law to provide that when a tax sale is

held by the tax collector for failure to pay real estate taxes, the sale shall be at auction for the percentage of the common and undivided interest in the whole property that the bidder is willing to offer for the unpaid tax, interest, and costs which are due, and to provide that no portion of the property shall be sold in severalty by metes and bounds.

The bill also adds a provision that the current 10-year statute of limitations relative to contesting the validity of tax sales applies to RSA 80:24 as originally enacted as well as amended by this bill and to former RSA 80:24-a.

Amendment adopted.

Senator Podles moved to lay HB 637 on the table
Adopted.

Senator Podles introduced SR 5 requesting an opinion of the justices on the constitutionality of House Bill 637.

Adopted.

HB 449-FN, relative to civil suits against municipal officials.
Ought to Pass. Senator Bass for the committee.

SENATOR BASS: HB 449 is an effort to help municipal officials to conduct their business in an expeditious fashion as possible. Basically, it requires the Superior Court hold a show cause hearing, which is sort of a preliminary finding of culpability, within 90 days after an action is filed. The net effect of this will be that, hopefully, will be able to speed up the judicial process and eliminate the time and money it takes to process what might be frivolous cases involving municipal officials. We urge that the Senate adopt the committee report of Ought to Pass.

Adopted. Ordered to Third Reading.

HB 699-FN, prohibiting the possession of firearms by career criminals and imposing a minimum mandatory sentence.
Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 699 prohibits the ownership, possession, or control of certain firearms by any person who has been convicted of three or more felonies. It also provides that any person who violates this provision shall be guilty of a felony and sentenced to ten to forty years and fined not more than \$25,000. The ten year minimum sentence would be mandatory and would have to be served indepen-

dent of any other term. The minimum sentence would also be ineligible for a suspension, deferral or continuation of parole. This is sort of conveying a message for criminals to stay out of New Hampshire. The committee recommends Ought to Pass.

Adopted. Ordered to Third Reading.

HB 738-FN, relative to bail.

Ought to Pass. Senator Bass for the committee.

SENATOR BASS: HB 738 basically returns us to the bail statutes that we had in effect prior to the beginning of 1988. Anybody who picked up the newspapers in the last year or so will notice that we had a lot of problems with our new bail statute. It was basically designed after federal models. It wasn't compatible with our state court system and the result was that we had a lot of confusion and difficulty in the courts. The Attorney General's Office has been working diligently on this issue and coming in with amendments. The problem is that they keep amending the amendments and we basically feel that it prudent for the committee to return to the original bail system that we knew was working properly and give the Attorney General's Office the opportunity that they need to come up with a final solution and not one that would have to be amended again and again. We urge the committee report Ought to Pass.

Senator Podles moved to lay HB 738 on the table.

Adopted

HB 643-FN, relative to retention and destruction of district court records, responsibility for payment of costs of court-ordered services, and taxable court costs.

Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 643 allows the Supreme Court by rules to establish retention and destruction schedules for all district court records. Currently, the state statute allows for the destruction of records relating to criminal records and violations ten years and twenty years after final disposition with the approval of justice. By passing HB 643, it will free up some needed space in the court building. In instances where courts have the authority to order services to be rendered and the responsibility for payment is unclear the court may assume responsibility. Also several statutes no longer needed are also repealed in this bill.

Senator Podles offered a floor amendment.

SENATOR PODLES: We forgot to put this amendment in and I have this floor amendment which makes the effective date upon passage.

Floor Amendment to HB 643-FN

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

HB 39, relative to the distribution of OHRV fees.
Ought to Pass with Amendment. Senator King for the committee.

SENATOR KING: HB 39 merely clarifies the distribution formula for OHRV fees and was supported by all of various parties that are in the pipeline for those fees.

Amendment to HB 39

Amend the bill by replacing section 1 with the following:

1 Registration Fees. RSA 215-A:23, V is repealed and reenacted to read as follows:

V. From each fee collected:

(a) The first \$4 shall be appropriated to the department of resources and economic development for administration of the bureau, and shall be used by the bureau for its grant-in-aid program. These funds shall be kept in a separate account and shall not be used for any other purpose. Any unexpended balance in said account shall not lapse, but shall be carried forward to the next fiscal year. Grants-in-aid shall be granted to organized nonprofit OHRV clubs and political subdivisions for the construction and maintenance of OHRV trails and facilities. The bureau shall make grants on such terms as it deems necessary and shall determine what trails and facilities shall be eligible. All trails and facilities developed and maintained under this grant-in-aid program shall be open to the general public. Notwithstanding the provisions of this subparagraph, a landowner who grants permission for a grant-in-aid trail to be located on his property shall retain the right to establish the inclusive dates during which OHRV operation shall be permitted. The private landowner shall also retain the right to post any grant-in-aid trail located on his property against trespass by any specific activity or specific type of OHRV.

(b) Forty-five percent of the balance after the deduction authorized in subparagraph (a) shall be appropriated to the department of resources and economic development for administration of the bureau for the following:

- (1) Publications.
- (2) Trails.
- (3) Easements and rights-of-way.
- (4) OHRV facilities.

(5) Such other purposes as may be budgeted within the limits of the funds available. Any unexpended balance in said accounts shall not lapse, but shall be carried forward to the next fiscal year.

(c) Fifty-five percent of the balance after the deduction authorized in subparagraph (a) shall be appropriated to the fish and game department for the following:

(1) Enforcement of the provisions of RSA 215-A.

(2) Establishment of training programs in the operation, safety, regulation, equipment maintenance and other related matters pertaining to OHRVs.

(3) Law enforcement under this chapter, which shall be the responsibility of the executive director.

(4) OHRV registration.

(5) Such other purposes as may be budgeted within the limitation of the funds available. Any unexpended balance in said accounts shall not lapse, but shall be carried forward to the next fiscal year.

Amendment adopted. Ordered to Third Reading.

HB 587-FN, relative to license plates and decals for relatives of handicapped persons.

Ought to Pass with Amendment. Senator Preston for the committee.

SENATOR PRESTON: Last year we had a bill that addressed the handicapped plates and we inadvertently took away the rights of those people who had plates who had a member of their family that was handicapped. This bill makes handicapped plates available for use on motor vehicles owned by the relative of the person with a walking disability. We heard testimony from a woman who had a severely handicapped child there, when she went to renew her handicapped plates she was so denied under the statute the way it was written, so this corrects that problem.

SENATOR JOHNSON: I rise in support of the committee amendment and this bill. I just wanted to make it clear to this body, however, that this does not in any way affect the requirement that the person with a walking disability be in the vehicle when it is being parked in a handicapped parking place. It does not change that requirement.

Amendment to HB 587-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to special number plates for persons
with walking disabilities.

Amend the bill by replacing all after the enacting clause with the following:

1 Walking Disability Plates for Relatives. Amend RSA 261:88, I(a) and (b) to read as follows:

(a) The director shall design and issue, with approval of the commissioner, special number plates which shall incorporate the international accessibility symbol and shall make such plates available as an optional number plate to be used on motor vehicles:

(1) Owned by a person with a walking disability; [or]

(2) Owned by an organization in the private or public sector that is primarily engaged in a business in this state involving care, treatment, rehabilitation, or transportation of persons with walking disabilities[.]; or

(3) Owned by a relative of a person with a walking disability, when such person with a walking disability is a resident of this state, a member of that relative's household, and dependent on the owner of the motor vehicle as his primary means of transportation.

(b) An applicant for such special plates shall furnish the director with satisfactory proof that he meets the requirements of subparagraph (a)(1), (2) or [(2)] (3) of this paragraph. Upon request and for a fee of \$1.50 per plate, the director shall exchange such special plates for regular plates currently issued to an applicant who qualifies for special plates.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes handicapped plates available for use on motor vehicles owned by a relative of a person with a walking disability who is a resident of this state and a member of that relative's household and who is dependent on the owner of the motor vehicle as his primary means of transportation.

Amendment adopted. Ordered to Third Reading.

HB 710, regulating the use of social security numbers by the department of safety.

Ought to Pass with Amendment. Senator Preston for the committee.

SENATOR PRESTON: HB 710 has been somewhat controversial in regards to providing social security numbers to the Department of Safety. This bill regulates the use of the applicant's social security number by the Division of Motor Vehicles and the Department of Safety. The social security number is really not to be used as a form of identification, but it is on many bank records, employment records and so forth. This amendment, as you see it on page 15, makes it optional as to whether or not the applicant wants their social security number on their driver's licenses. It does require that you provide your social security number to the Department of Safety. It prevents the Department from selling these lists with social security numbers on it to outside parties that can buy them. It authorizes the Department to use the social security number for criminal checks and the Department of Human Services came in and provided us very succinct evidence that they need the social security number in the Department of Safety when they check a child support case and if it is not there, it could cost the state millions of dollars. This seemed the best compromise that we could reach. It is necessary. The Department will not make these available everywhere and you have the option of whether you want that on your license or not.

Amendment to HB 710

Amend RSA 263:40-a, I and II as inserted by section 1 of the bill by replacing them with the following:

I. An applicant for a driver's license or a renewal of a driver's license shall provide his social security number to the department.

II.(a) Notwithstanding RSA 91-A, RSA 260:14, RSA 261:60 or any other provision of law to the contrary, the social security number shall not be a public record open to the inspection of any person. The department shall not sell or otherwise provide individual social security numbers or lists of social security numbers for any purpose which is not stated in subparagraph. The department shall only make the social security number available to other states for driver record purposes, to any national driver information repository established pursuant to federal law, to a law enforcement agency that requires the social security number for investigative purposes, or to the division of human services, department of health and human services for use only in the administration of child support enforcement.

(b) The department shall not sell or otherwise provide individual social security numbers or lists of social security numbers for any purpose which is not stated in subparagraph (a).

AMENDED ANALYSIS

This bill regulates the use of an applicant's social security number by the division of motor vehicles, department of safety, and provides that the applicant shall provide his social security number to the department. The individual applicant for a driver's license shall determine if he desires to have the social security number printed on his license.

The social security number shall not be a public record open to inspection of any person.

The social security number shall only be made available to other states for driver record purposes, to any national driver information repository established by federal law or to a law enforcement agency for investigative purposes, or to the division of human services for use only in the administration of child support enforcement; and the department shall not sell or otherwise provide social security numbers to any person or entity for any other purpose.

Amendment adopted. Ordered to Third Reading.

HB 429-FN-A, relative to Medicaid expansion for low-income pregnant women and establishing a task force on low provider participation in Medicaid.

Ought to Pass with Amendment. Senator Krasker for the committee.

SENATOR KRASKER: The purpose of HB 429 is to provide access to health care for low income pregnant women. At the present time, the Medicaid reimbursement to doctors is so low that it has resulted in a low provider participation. At the current level of reimbursement, we were told, doctors received less than cost of treatment. In some areas of our state, there are no doctors now providing prenatal care to low income pregnant women. In order to change the circumstance, HB 429 raises Medicaid reimbursement rates for obstetric services from \$550 currently being paid to \$1,000 for total obstetric care and delivery and also to \$1200 for total obstetric care in Caesarean section. The House has included funding for this reimbursement within its budget and I would hope that this will be in the Senate budget as well. Because this enhanced reimbursement is only a partial solution to the problem, the bill also establishes a task force to study the entire problem of access to medical services for people who are eligible for medical assistance and to develop recom-

mendations for proposed legislation for the 1990 legislative session. There is an amendment which adds a member of the New Hampshire Nurses Association to the task force and I would urge your adoption.

SENATOR BOND: As a member of the committee I supported this committee report. However, there is something that you should be aware of. And that is that by raising the total obstetrical care coverage to \$1000 you are going to be taking those funds from somewhere else in Medicaid unless there is increased funding in the budget. The House in HB 200 did provide an increase in that line so that there would be a floor of \$1,000 or \$1,200. This will be the only medicaid provision in statute that has a floor. So right now the state is paying approximately \$550 for a delivery for complete prenatal care and by raising this almost doubling it the funds are going to have to come out of some other part of the budget unless the budget line is raised.

SENATOR MC LANE: I also would rise in strong support of HB 429. I was going to point out to Senator Dupont that I won't ask for a roll call on this bill, but that it is probably the most important bill that I feel is going down to Senate Finance at this time. It is cost effective and I think that is what we ought to be looking at. For every dollar you put into prenatal care for low income women, you get \$8 back within a year, because it is \$14,000 for a child to spend one week in a neonatal unit. And so I would hope that we send this on with good spirit and that Senate Finance will look at it very closely.

Amendment to HB 429-FN-A

Amend subparagraph I(b) as inserted by section 3 of the bill by replacing it with the following:

(b) One member of the senate or his designee, appointed by the president of the senate.

Amend subparagraph I(g) as inserted by section 3 of the bill by replacing it with the following:

(g) One member of the Medical Care Advisory Committee appointed by the chair of that committee.

Amend paragraph I of section 3 of the bill by inserting after subparagraph (j) the following:

(k) One member from the New Hampshire Nurses Association.
Amendment adopted. Referred to Finance (Rule #24)

HB 291-FN-A relative to the real estate transfer tax.
Ought to Pass. Senator McLane for the committee.

SENATOR MC LANE: HB 291 is the product of over a year's effort by the department to improve the efficiency of the real estate transfer tax. The bill as it now reads presumes that all sales, all grants and all transfers of real estate are taxable unless otherwise exempt. The statute adds a list of definitions which was not present in the original bill. It does have three specific exemptions — for transfer of cemetery plots, tax on non-contractual transfers and the beneficiary of a partnership interest. The tax shall now be computed to the nearest whole dollar. A new section is added relative to penalties for false statements and a requirement for payment of interest on unpaid tax. And it gives the commissioner of revenue the right to audit all real estate transfers. This bill will allow the real estate transfer tax to be more efficient and, hopefully, to collect more money.

SENATOR KING: Senator McLane, it is my understanding that this bill plugs several loopholes within the real estate transfer tax, specifically those related to people forming corporations for the purpose of passing real estate through those corporations without paying the real estate transfer tax. Is that the case?

SENATOR MC LANE: Exactly.

SENATOR KING: Do we have any idea what kind of revenue we can expect this to generate in addition to the revenue generated by the tax now?

SENATOR MC LANE: I was interested that the bill itself claims that it is going to be revenue neutral. So that it was my impression that there will be minimal impact on the state and county revenues. So my impression is that we may plug a loophole here, but we have made a couple of exceptions, such as transfer of cemetery plots.

SENATOR KING: Was there any testimony from anyone outside regarding the fiscal note here of what might be expected?

SENATOR MC LANE: There was not. The bulk of the testimony was from Representative Roland Salada, who was the chairman of the sub-committee in Ways and Means that worked on this, and as I say they didn't feel that it was dealing in revenues and so there was no testimony having to do with revenue.

SENATOR NELSON: Senator McLane, just by way of history, who introduced the bill? I mean for what purpose?

SENATOR MC LANE: Representative Ahrens introduced the bill at the request of the Revenue Administration, Stanley Arnold of the Revenue Administration.

SENATOR NELSON: When it says that they repealed and re-enacted on the first page of the bill and you were talking there, what exactly, do you know, what they did when it says a tax is imposed . What did they repeal?

SENATOR MC LANE: I am not sure.

SENATOR BARTLETT: For clarification, the tax was rounded off to the nearest dollar, if it is over 50 cents to goes to the next higher dollar, if it is under 50 cents it goes back to the prior dollar.

Adopted. Ordered to Third Reading.

HB 414-FN-A, relative to the sale or exchange of beneficial interests in business organizations for business profits tax purpose.
Ought to Pass. Senator Blaisdell for the committee.

SENATOR BLAISDELL: This is another one of the housekeeping bills that the Commissioner of Revenue Administration, Stan Arnold, has brought to us in Ways and Means. And by the way, I would like to commend him on the Senate floor, for the amount of work that he has done. You have just heard one bill that Senator McLane passed on to you. I think that that is not only a housekeeping bill, but it is a bill that will generate some revenue. This bill here could possibly generate anywhere from \$2 million to \$10 million in the next few years by closing up the loopholes. There is nobody in this Senate that wants the loopholes in the Business Profits Tax closed up any more than I do because that means more revenue. Senate Ways and Means asks your support for an Ought to Pass.

SENATOR NELSON: Senator Blaisdell, you used this word loophole. What does it mean its closing up loopholes?

SENATOR BLAISDELL: Let me give you an example. Say you bought a hotel, Mary, for \$1 million ten years ago. And then you sell the stock in the corporation to somebody else. And it really doesn't matter what you sell it for. Let's say you sell it for \$10 million. And when you get done all you are taxed on is the million because you are covered. The other nine million goes uncovered because you put it in sort of a trust. So what he has done is to clean up that loophole so that when you do sell it, that you pay the tax on the \$10 million rather than the million. So that gives us the revenue. And I think it is an excellent piece of legislation.

Adopted. Ordered to Third Reading.

HB 439-FN-A, making an appropriation to the office of alcohol and drug abuse prevention and establishing a committee to review the expenditures of funds by such office.

Inexpedient to Legislate. Senator Blaisdell for the committee.

SENATOR BLAISDELL: Most of you know what 439 is. It started out many months ago with about a \$4 or 5 million revenue raiser for drug and alcohol abuse. At their own admission, the drug and alcohol abuse people, Geraldine Sylvester sent me a memo, that they feel this should be addressed in the common sense and HB 439 be restored in the State budget document. We are not funding the \$4 million. I think they have only \$19,500 in one year and \$84,500 in another year. This rightly belongs in the budget and the budget document, and we will do everything that we possibly can to fund it. I am not going to say that I am going to fund, because I don't know. There are other priorities I think we could be listing. So I will take it to Finance and do the best I can in the budget document.

SENATOR STEPHEN: Are you saying that you are going to come back with a figure for us to fund it or try to fund it?

SENATOR BLAISDELL: What I am saying is that this will go in the budget document. This bill will be Inexpedient to Legislate and we will address it, in fact that is what Senator Hough and I are doing right now downstairs with Jim Mitchell. We have Health and Human Services, Drug and Alcohol Abuse is in that. We are trying to address every possible end that we possibly can. I am not going to say that I am going to fund it, but I will do everything I possibly can.

SENATOR STEPHEN: You are going to report to the Senate?

SENATOR BLAISDELL: When I pass the budget document over to you next Tuesday, it will be in the budget document that will come to you this weekend so that you can look it over. And if it is not there, then you can address it next Tuesday on the floor of the Senate if we haven't been able to fund it.

SENATOR PODLES: This bill is very important to me also, because I am a sponsor on the bill. Can you assure me is there a possibility that we can adopt this into our budget?

SENATOR BLAISDELL: You are a member of Senate Finance and you are a very persuasive lady and I can assure you that we will be listening to you starting tomorrow morning very early until next Thursday night when we get through.

SENATOR JOHNSON: Senator Blaisdell, tell me why then we shouldn't go ahead and at least pass this bill down to Senate Finance like we do with so many others and then have it come back Inexpedient if indeed that should be the case?

SENATOR BLAISDELL: I think, Senator Johnson, what I am trying to do is take the work load off of Senate Finance. Here is a document from Drug and Alcohol Abuse that asked me to do that, to address it in the budget so that is what I am going to do. I have only got two more days. I don't need anymore bills in Finance. I would be very happy to address it as soon as I can. I just don't need any more bills right now.

Recess.

Out of Recess.

Senator Dupont in the Chair.

SENATOR BARTLETT: I fully understand the need for drug and alcohol treatment, but if anyone has seen the budget, it is this thick and at some time or another we have to leave the responsibility of budget items to Senate Finance. If not we would have a thousand to two thousand bills dealing with each item. It is rather difficult to do that, so we really have to have some faith in Senate Finance. They're going to address the issues with the money available and it would be chaos if we had a bill for everyone that had a special line item they wished to have addressed by special legislation. So I request that you adopt the committee recommendation.

Adopted.

HB 385-FN-A, making appropriations for vacation travel promotion and increasing the rate of the tobacco tax.

Ought to Pass with Amendment. Senator Currier for the committee.

SENATOR CURRIER: This was kind of a calamity bill actually from the start. It came over to us from the House as a bill that was dealing with the exempting the state house cafeteria from the rooms and meals tax. When it finally arrived in the Ways and Means committee, it had a \$2 million appropriation for the office of vacation travel and a 4 cents a pack cigarette tax on it. In light of the fact that there have been a number of calamities that have happened as a result of this bill, the committee has noted a couple of other problems with the proposed amendment. We will, in fact, be coming before you with a floor amendment with regards to this bill and we would actually like the committee amendment turned down at this time, and offer a floor amendment at a later time.

Committee amendment failed.

Senator Bartlett offered a floor amendment.

SENATOR BARTLETT: Senate Ways and Means felt that this was an important piece of legislation. There was some discussion about the proper manner in which to tax all cigarettes, cigars, snuff, smokeless tobacco and tobacco products in other forms. Knowing the concern that we have to pass legislation which is effective and properly drafted, we contacted the Department of Revenue Administration and talked to Mr. Arnold and this amendment is the result of his suggestions of the proper wording to properly tax all forms of tobacco products. Senate Ways and Means feels this is form of revenue that we should be addressing and therefore we recommend the adoption of the amendment.

SENATOR STEPHEN: Senator Bartlett, I just received this amendment. Could you tell me how much monies are we going to derive from this?

SENATOR BARTLETT: It is my understanding that the original part is probably about \$11,400,000.

SENATOR STEPHEN: When you say 11 million from all of the tobacco or just from this amendment here?

SENATOR BARTLETT: This amendment is the increase in the tobacco tax plus the additional tobacco items covered by this amendment.

SENATOR STEPHEN: \$11 million?

SENATOR BARTLETT: From the original tobacco increase, that is the biennium. I think it is 5.5 per year.

SENATOR HEATH: I rise with some trepidation, being a smoker I am certain to be accused of self interest here, but I will assure you that the last raise in tobacco taxes I supported because it had the potential and it did increase the revenues to the state at a time that we needed them. We need the revenues now and it is certainly a combination a lot of you people attempted and searched to go with, where you think you can do some social good and punish those terrible smokers among us, and at the same time, raise revenue for the state. But I think that this is an ill-thought-out bill for a couple of reasons. If you divide the bill in half, one goes after the tobacco products that thus far have not been taxed in New Hampshire and

the other increases the cigarette tax. And if you think that this had a calamitous past, Senator Currier, I think you will find that it has a calamitous future. The part that takes the tobacco products that haven't been taxed, we had testimony when General Price was the head of the Department of Revenue Administration, that this was an administrative nightmare. We looked at this and wanted to tax it and over and over, we found no solution. I don't think that the amendment finds a solution. You have tobacco arriving in the state through the mail, through warehouses and so on, and to design the stamps with the various products, to get them on there, to have an accounting of that and so on is an absolute nightmare and we were told over and over that it didn't raise enough money, that portion of this, did not raise enough money for the bureaucratic burden that it placed on the state and therefore we resisted. And this was the years when we needed \$40 million to balance the budget, in years when I think we were proportionately in much greater trouble than we are today. The other side of this is raising the cigarette tax. And I supported the last increase because we did what we call a trigger tax. We set it and it only triggered when our competitive states went up. We have the highest per capita sales of cigarettes in the region, if not in the United States. We derive great revenue from that. That doesn't mean that we have the highest per capita smokers. I don't think we do. We sell cigarettes to Massachusetts, to Vermont, to New York state and we had testimony from the FBI that we were even the source of black market cigarettes in New York City. That gives us revenue and those people who are going to smoke and they are going to buy cigarettes but if we move above our competitive states and particularly Vermont, which is much closer to New York, we are going to lose that edge and we can actually see from this legislation, there is a potential of seeing, tobacco revenues plummet. Now that won't satisfy those among you who feel that if you can get a few more cents out of the smoker, it is all for the good in discouraging his habit. I would suggest that there are better ways to discourage his habit and I don't think that 5 cents on a can of beer or 10 cents on your cocktail would discourage you from having those, nor will a few cents a pack on cigarettes do much in the way of cleaning up what many of you view is a serious health and social problem. But, in strict terms of revenue, I think you are actually endangering your revenue source rather than adding to it and I say that from having served on Ways and Means in the House when we dealt with this problem and we looked over and over to see if we could do it and from serving on that committee in the Senate. I don't expect to win this but I do expect to see us back here addressing the problems that are created by this legislation in the future and probably the near future.

SENATOR MC LANE: I rise in strong support of the amendment before you. Roger is sort of a young kid. He is younger than I am, but I was on the Ways and Means Committee twenty years ago when the A.D. Little report came out that reported on the ways to take advantage of tobacco taxes in relation to other states. I would note that New York state in the paper today has raised their tobacco tax significantly and also done this same thing, which is to tax smoking tobacco and pipe tobacco and cigars and spittin' (sic) tobacco. When you talked about young kids, I brought up another point. Senator Bass and I put a bill in originally to study the tobacco tax because we couldn't put in through the Senate as a tax. It went over to the House and it was very much mauled over in the regulated revenue committee over there but we listened to the testimony by the medical profession and for every penny that cigarette taxes go up, a very large percent of young kids don't take up the habit. And apparently that has been proven in other states. That it may not affect the old veteran smoker who is going to have his smoke anyway, but for kids, 14, 15, 16 year olds who are going to buy a package of cigarettes and discover that it has gone up 5 cents it does have an effect. The other testimony was that every single cigarette smoker in this state costs the other people in this state about \$200, or costs the state that much, in medical costs and so I think that this is a cost effective measure and its a good measure and I am delighted that the leadership has made it possible to have it drafted.

SENATOR HEATH: Given the following facts, you say that New York has gone up in their tobacco tax and the fact that the chairman of the House Ways and Means committee told me that she had talked with the people on the Ways and Means Committee in Vermont and that they had no intention of moving theirs up, doesn't that fact argue that that market which increases our revenues will go up if we are the most competitive, if we are the supplier of tobacco to those states as opposed to the State of Vermont.

SENATOR MC LANE: There is a difference between being competitive and being stupid.. And Massachusetts has their tax so high that we are selling loads of tobacco to them. The A.D. Little report said that if you remain proportionate to the others and what has happened again and again is that people come in and testify about the Vermont tax and they don't add the fact that Vermont also has a 4 percent sales tax and that is added to the price of cigarettes. So I think from what I have read of the A.D. Little report, this is the time for us to put our tobacco up and maximize revenues.

SENATOR HEATH: Isn't it true that we heard testimony or that testimony has been given in the past that the perception of the com-

parative prices of tobacco and the perception doesn't include the sales tax, that that is really what triggers competitive sales?

SENATOR MC LANE: I am not sure that you would say that was true. But I would say that since the time the A.D. Little report was done 20 years ago, the entire picture about tobacco has changed. We now know that it is bad for you and we know that it costs all of us money if people are dying from cancer. One of the largest causes of death is smoking. So I think we have a golden opportunity here to get the bad habits and you should be grateful for that, Senator Heath.

SENATOR JOHNSON: It should not surprise anybody that I will rise in support of this floor amendment. I don't think the modest tax increase of 4 cents per pack of cigarettes and the other tax on the smokeless tobaccos and so forth is going to deter the addicts of this state or any other state in regard to this habit. I frankly look forward to the day when society will have snuffed out the entire use of tobacco.

SENATOR HEATH: Senator Johnson, recognizing that I understand that smoking is not good for people and that I understand the health hazards and the consequences and nonetheless participate in the habit, how do you jibe your statement with Senator McLane's that simply says we will discourage young smokers now?

SENATOR JOHNSON: I think the answer to that is, passage of this floor amendment will create a win, win situation. If she is wrong, we will win in revenue; if she is right we will win in the reduction of health care costs in New Hampshire.

SENATOR BASS: I rise in support of the pending amendment. There are, in fact, two questions before us. The first is whether or not to raise the tax from seventeen cents to twenty-one cents and the second is whether to expand it from cigarettes to other products. But I think there is general unanimity of thought here that we can afford to raise the tax from seventeen cents to twenty-one cents and still remain competitive. That will provide some revenue, but the second question is really a question of fairness. The original tobacco tax was thrown out by the Supreme Court because it wasn't fair: It taxed on per pack basis versus volume metric and the legislature in its panic, facing a potential of losing the whole tobacco tax altogether, just limited it to cigarettes. But the fact is that the same kinds of sales are occurring now in all of these other products besides cigarettes and I should think that the cigarette smokers should

be looking at this thing as an equity measure more than anything else. So certainly, when you consider not only the medical facts that were brought up, but the fact that this is fairness bill and also good fiscal policy, I urge that you pass this amendment.

SENATOR ST. JEAN: I rise in opposition to the pending motion. I do so not because I am an avid smoker or think it is good for anybody to smoke. I do so because we are raising taxes here and I have been around here a little length of time and everybody has told me from the corner office to the guy who is President of the United States who said we are not going to raise taxes. There may be any kind of justification in the world for raising this tax from seventeen to twenty-one cents, but this is the beginning, folks. Are we going to go to the real estate transfer tax next, are we going to go the business profits tax next. Last time I knew, I was told that we had a surplus around this place. I mean the guy goes south and all of a sudden it disappeared. Now I don't know if the surplus is in Washington or if it can be found up in the corner office, but let me tell you that what we are doing here is very serious. It is a very serious matter. We are raising taxes, something that everybody said wouldn't happen in the State of New Hampshire. I can read. Remember the Gallen deficit? For years I have been told that it was Hugh Gallen's deficit. But let me tell you all something, it was never Hugh Gallen's deficit. It was a deficit created by a budget the Republicans voted for. And I think what we are doing here today is wrong, because it is the beginning of the tax and spend attitude that has been attributed to Democrats over the years. And I say we should go pretty slowly in increasing taxes, whether it be a cigarette tax or a business profits tax, the real estate transfer tax, or the inheritance tax. And I am in opposition to the pending motion.

SENATOR MC LANE: Senator St. Jean, I don't know whether you are the one that's been south, but I have a question for you. Do you serve on Senate Finance?

SENATOR ST. JEAN: I am a member of Senate Finance.

SENATOR MC LANE: Are you familiar with HB 429 having to do with the expansion of medicaid for low income pregnant women that is coming down to your committee?

SENATOR ST. JEAN: Somewhat.

SENATOR MC LANE: Did you know that there are 160 women in the city of Manchester who are not going to receive prenatal care before having babies later this year?

SENATOR ST. JEAN: I am very familiar with that.

SENATOR MC LANE: Well how about making a trade? You go for tobacco and give us that prenatal care.

SENATOR ST. JEAN: Senator, I don't think that those two things are mutually exclusive. And I think that the Senate should be living within its means. And I don't think that by increasing taxes we are going to do that. And I think that there are, as the Governor has told us, there is enough money within his budget and enough money available to do just that.

Floor Amendment to HB 385-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

to tax all forms of tobacco products.

Amend the bill by replacing all after the enacting clause with the following:

1 Tobacco Products Redefined. RSA 78:1, XIV is repealed and re-enacted to read as follows:

XIV. "Tobacco products" means cigarettes, cigars, snuff, smokeless tobacco, products containing tobacco, and tobacco in any other form.

2 Tax Imposed on Tobacco Products. Amend RSA 78:7 to read as follows:

78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [17] **21** cents [for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes] **multiplied by the total number of ounces or fraction thereof of a package of tobacco products**, on all tobacco products sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to [the smallest] **each** [packages] **package** containing [the tobacco products in which such products usually are sold at retail. The word "package" as used in this section shall not include individual] cigarettes. **Notwithstanding any provision of this chapter to the contrary, the tax on all other packages containing tobacco products shall be paid to the department of revenue administration on a monthly basis by the wholesaler based on the invoices of the tobacco products delivered to New Hampshire retailers. This tax shall be due on or before the fifteenth day of the month following the month of**

delivery. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.

3 Definition of Tobacco Products Removed. Amend RSA 78:12-b, I to read as follows:

I. In this section[:]

[(a)] “[P]erson” means a person under RSA 78:1, II and shall include any owner or operator of a vending machine for the sale of tobacco products and any person having control of the location where such a vending machine is located.

[(b)] “Tobacco products” means cigarettes, cigars, snuff, smokeless tobacco, products containing tobacco, and tobacco in any other form.]

4 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill imposes a tax of 21 cents multiplied by the total number of ounces or fraction thereof of a package of tobacco products on all tobacco products sold at retail in this state. The bill redefines tobacco products to include cigars, snuff and smokeless tobacco, and not just cigarettes as is the case under current law.

Amendment adopted. Ordered to Third Reading.

Senators Magee, Heath, St. Jean, and Nelson wished to be recorded as opposed.

HB 464, relative to sons and daughters of members of charitable organizations assisting with bingo games.

Ought to Pass with Amendment. Senator McLane for the committee.

SENATOR MC LANE: This bill establishes a study committee to study the current laws relative to bingo, the conduct of bingo games, and the amount of money raised from bingo. In the opinion of the Ways and Means committee, there is something rotten in the state of bingo. We listened to two long hearings on the bingo games. They are big business. Bingo and Lucky Sevens together produce almost \$80 million, exactly the same amount as the sweepstakes. From the sweepstakes, the state gets \$27 million, from bingo we get 1.6. We heard testimony from a representative who had an opportunity, she was president of a group that was running a bingo game. The people who were running it wouldn't let the organization, which was the Chamber of Commerce in Hampton, count the money. So they finally decided to run their own bingo. Same people, same day, every-

thing the same about it except they made \$5000 more every week if they ran it themselves. There is discussion that you are only supposed to pay people \$8.00 an hour in order to run bingo games. It is accepted by most people that that isn't really what they are paid. It is time for the legislature to look at this \$80 million business and for that reason, we have created this study committee which includes the Commissioner of Safety, the State Treasurer and the Attorney General. And I hope we get to the bottom of some of this.

SENATOR BLAISDELL: Certainly I rise in support of the committee report. I would have to differ with the words of Senator McLane. Senator, I think I have to differ with you a little bit on the term rotten. There are some problems really with bingo. I think there are a lot of organizations that do a very good job and a lot of good comes from what they do. But I think that this is an area that we should look at this for revenue in the future. It is not only, it is unbelievable the amount of money that is spent on bingo in the State of New Hampshire, and I think we will find that the state probably gets \$1.5 million out of that. And it is really a couple of hundred million dollar business, maybe even more than that. I think that is what the study committee should be looking at and, but again, I want to protect those that have a bingo game and run it legitimately. But there are some problems and Senator McLane is right and I think we should look at and I hope you will go with the committee report.

SENATOR CHARBONNEAU: I know there is a problem with bingo, but is your study committee going to check into the Lucky Sevens because from what I hear that is the biggest money maker of all?

SENATOR MC LANE: I assume that they would because they are sold at bingo games and I am so innocent about it I don't even know the difference between beano and bingo, spelling, that is all. But I think that there is a lot that can be learned and the Lucky Sevens are half of that \$80 million that I spoke of.

SENATOR NELSON: Senator McLane, are we calling in an outside source to study this and are we checking on what it costs if the state takes it over? Is there a committee member on there who has expertise on this?

SENATOR MC LANE: I think the Attorney General ought to have expertise in what is legal and what isn't. Certainly the State Treasurer can count money and I think that the Department of Safety

ought to be able to determine how much these people are paid and assert under oath whether they are paid more than \$8.00 an hour the law allows.

SENATOR NELSON: I just want to say at this time that you have these sweeping pieces of legislation that throw all bingo and Lucky Sevens into the same pot is totally unfair. The girls club in Nashua, the boys club, these are reputable organizations who get help from this money. There is no money coming from the federal government. There is no money from the state back to cities and towns. These people, in fact, in the best of conscience, have gotten involved in bingo. And every time we discuss the issue, it is always as if there is something wrong, they have not done it right, they have kept getting all kinds of money under a table in a sneaky way, people who volunteer might be Mafioso. I just think that it is about time, if we are going to do a study, that we take an honest look at this stuff and help some of the boys clubs and the girls clubs in the state instead of always coming out with this innuendo that it is not good or that it is bad or is evil.

SENATOR MC LANE: Senator Nelson, would you believe that this is exactly why we have opened this study? The discovery was that wonderful organizations that are doing a great deal of good for this state aren't getting their fair share. They depend on this revenue and something is a little wrong. And that is what I am saying. Is that if you care about the girls club, you want them to maximize the revenue.

SENATOR NELSON: Would you believe that that is the excuse that is constantly given and I have not heard these problems in the Nashua area? I even volunteered at bingo games myself and don't have any new clothes or new cars to show for it.

Amendment to HB 464

Amend the title of the bill to read as follows:

AN ACT

establishing a study committee on bingo laws and
the conduct of bingo games.

Amend the bill by replacing all after the enacting clause with the following:

1 Committee Established to Study Bingo. There is hereby established a committee to study the current laws relative to bingo, the conduct of bingo games, and the amount of money raised by bingo.

The committee shall examine the need for revisions to the current bingo laws. The committee shall consist of the following members:

I. Two house members appointed by the speaker of the house, or their designees.

II. Two senators, appointed by the senate president, or their designees.

III. The commissioner of safety or designee.

IV. The state treasurer or designee.

V. The attorney general or designee.

2 Report. The committee shall submit a report on its findings and any recommendations for legislation to the speaker of the house and the senate president on or before December 1, 1989.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes committee to study the current laws relative to bingo, the conduct of bingo games, and the amount of money raised by bingo.

Amendment adopted. Ordered to Third Reading.

HB 532-FN, establishing a committee to study the revenue structure in New Hampshire.

Inexpedient to Legislate. Senator Dupont for the committee.

Senator Dupont moved to substitute Recommit.

SENATOR DUPONT: At this point in time I would like to ask that HB 532 be recommitted. We have gotten some additional information.

Adopted

HB 652-FN, relative to discounts and credit terms for the sale of wine.

Ought to Pass. Senator Stephen for the committee.

SENATOR STEPHEN: The committee met and we voted Ought to Pass. The liquor commissioner was at the meeting and all this does is allow any licensee of liquor and wine to buy their liquors at a retail price and not pay it immediately. It allows them to have a 15 day wait period.

Adopted. Ordered to third reading.

Senator Preston moved to remove HB 218 from the table.

Adopted.

Senator Preston offered a floor amendment for HB 218.

SENATOR PRESTON: If you recall HB 218 was reported out on the floor as Inexpedient. Senator Podles was recognized with a positive motion that we suggested might make us special people because she was trying to exempt senators and congressmen and others from the regular procedure of nominations in the electing of people. Now I am trying to accommodate the proponents of HB 218 in an equitable way and I want to address Senator Podles' concerns because I know she is very sincere. This does the same thing. This amendment not only addresses Senator Podles' concern, but it allows each and every one of the voters to have their say for anyone that they want on either side of the ticket. If they are Republicans, they can vote for every Republican they wish to and they don't have to cross to the other side if the same name appears on the ballot. So this addresses the proponents of 218. The problem isn't that someone is on both sides of the ballot after all. It is the right of the voters to nominate, putting on the ballot anyone that they wish and we cannot interfere with that. This simply does away with the straight ticket voting and allows people to go down and scrutinize those candidates of their choice. So that you won't effect Republicans, won't have any adverse effect on Democrats and it won't allow for people to get elected as they were accused in 218 on both sides of the ballot and at the same time we don't make special classes of citizens, Senator Podles, and we don't violate the right of the voters to nominate who they chose. This amendment would once and for all do away with the negative effects on people on both sides of the ballot and allow people to vote as they wish. It is a very simple amendment. I have tried to accommodate those concerns.

SENATOR HEATH: Senator Preston, having not had long to consider, my first impression is that this will keep the poll workers two or three hours later in the job of counting ballots. Do you believe that would be one of these effects?

SENATOR PRESTON: It all depends on who your concern is with. Since the final result is what the voters wished, are we doing this to accommodate the poll workers? I don't think that should be the big concern.

SENATOR HEATH: Wouldn't you want to leave the voters with the option of putting the X at the top?

SENATOR PRESTON: Well I was trying to accommodate Senator Podles' concern here and I know she is sincere and I thought this was a better approach and also those in multiple districts, like repre-

sentatives, who a person having achieved the lowest vote in the primary could come out on top in a general election. That was a very vital concern. And this does it all. If you go down each side, you can look and see Heath on both sides. You might only want to vote for him one way.

SENATOR PODLES: Senator Preston, isn't it true that you are then trying to confuse the voter by eliminating the straight ticket voting?

SENATOR PRESTON: I am incensed that you would even suggest that, Senator.

SENATOR PODLES: Isn't it true that the voter expects to vote a straight ticket when they enter the box?

SENATOR PRESTON: I am surprised that you and Senator Heath aren't giving much credence to the voters' intelligence and ability to do certain things. This legislation was supported by Republicans on the other side of the ballot. It was opposed by the Republicans on the committee. I am trying to accommodate both sides of the issue.

SENATOR JOHNSON: Senator Preston, my question is what is causing that bulge on the right side of your face? This is not a tongue in the cheek?

SENATOR PRESTON: No, none whatsoever. This is a very serious piece of legislation that allows you to go and look at every voter. If there are two people running for the same office on each side of the ticket, you vote for one in your party if you wish.

SENATOR DUPONT: I rise in very strong opposition to the floor amendment offered by Senator Preston. While I don't question his good intentions with this piece of legislation, it is an unprecedented attack on the two party system in the State of New Hampshire as we know it. I have faith in the voters in the State of New Hampshire, having counted ballots and recounts and having been around the polls during my career in public service. I think the voters of the State of New Hampshire are smart enough when they want to split their ticket to put the X where they think it ought to be and certainly a change of this major significance ought to be something that ought to be deliberated before a committee in a proper manner, have the ability to have our Secretary of State, a Democrat I may add, come before us and testify on the appropriateness of this amendment. So I would urge my colleagues to vote this amendment down and maintain a system that has worked in New Hampshire for a number of years.

SENATOR PRESTON: Senator Dupont, did you read the amendment? Did you see anywhere here where it takes away the party designation on top of the ballot?

SENATOR DUPONT: Senator, I read the amendment and I am aware that it does not take the party designation away, however, it does eliminate an opportunity that both Democrats and Republicans have to vote their convictions by voting a straight ticket.

Amendment failed.

SENATOR DUPONT: I would just bring to the attention of my colleagues that the original bill as presented in the committee would eliminate single, in districts such as a senate district would prevent you from being on both sides of the ballot. In other words, regardless of whether or not, you were the largest vote getter on both sides of the ticket, you would not be able to run on both sides of the ticket. And I don't believe that that is the wish of the members of the Senate and I just wanted them to be aware of that.

Motion of Ought to Pass failed.

Committee report of Inexpedient to Legislate adopted.

Senator Blaisdell moved reconsideration of HB 643.

SENATOR BLAISDELL: I move reconsideration whereby we sent HB 643 to third reading and I ask that the bill be placed back on second reading at the present time. There was one word left out of the amendment and I would like to amend the bill that is in front of you.

Adopted

Senator Blaisdell offered a floor amendment.

SENATOR BLAISDELL: All this does is change the word may to shall assume said responsibility. It will change it to "the Court shall assume responsibility" from may to shall. And that will give them the opportunity to take it out of their own budget and we agreed with that shall.

SENATOR NELSON: I want to know when you are doing this. You are switching this "the court shall assume the financial responsibility" What does it mean? What is the figure?

SENATOR BLAISDELL: They came to us. About \$2,000, \$2,600 out of their budget. And this means they can take it out of their own

budget. We won't have to appropriate any money. Shall assume the responsibility. That is the way it is done.

SENATOR NELSON: Senator Blaisdell, why are you doing this now when it was before the committee and this is like a floor amendment?

SENATOR BLAISDELL: It was supposed to come into the fiscal committee. We are bringing it in today to amend this bill so that they can pay the bills. Just to pay the bill.

Floor Amendment to HB 643-FN

Amend the bill by replacing section 2 with the following:

2 New Subdivision; Payment of Costs of Court-Ordered Services. Amend RSA 490 by inserting after section 30 the following new subdivision:

Costs of Court-Ordered Services

490:31 Court-Ordered Costs; Authorization for Payment of Expenses. In those instances where the courts have the authority to order services to be rendered and the responsibility for payment is unclear, the court shall assume said responsibility.

AMENDED ANALYSIS

This bill requires the supreme court to establish, by court rules, retention and destruction schedules for all district court records. Currently, the retention and destruction schedules are established by statute.

This bill clarifies that where courts order services and the responsibility for payment for such services is unclear, the court shall assume responsibility for the payment of costs of such services.

The bill also repeals certain statutes regarding taxable court costs.

Amendment adopted. Ordered to Third Reading.

Senator Podles moved to remove SB 45 from the Table.
Adopted.

Senator Podles offered a floor amendment.

SENATOR PODLES: SB 45 was the bill that we had kept on the table and we sent it to the Supreme Court for a constitutional opinion. What they did was one of the provisions was found unconstitutional. The amendment now deletes that unconstitutional provision

and it adds. What the bill does now is make changes in the laws relative to child support enforcement to comply with the federal government. It includes authorizing the Division of Human Services, Department of Health and Human Services to also exercise subpoena power to obtain parental financial records and also clarifies the rights of appeal from administrative orders and it requires the assignment of any support obligation to the Division upon application for financial assistance. This bill was requested by the Division of Human Services and I urge you to support the amendment.

SENATOR HEATH: Senator, I don't remember receiving it, if I did, a copy of the Supreme Court decision. My question is why didn't I get a copy of that and what is the provision that they found unconstitutional?

SENATOR PODLES: Originally what we asked the Supreme Court to rule on was that it would have permitted a proceeding to commence even though a paternity action was previously filed and dismissed, if such dismissal was based on the statute of limitation of less than 18 years. So they could go way back and claim paternity. The Court felt that the statute of limitation was over and it was found unconstitutional.

SENATOR HEATH: I rise in opposition to this legislation fully understanding the importance of collecting child support. But I think that we are turning a mongoose loose on an island that hasn't had a mongoose. And I think that when you start handing agencies the power of subpoena, you are setting a very dangerous precedent. I think that there are other ways and aggressive ways to collect. I see this as really the beginning of something that can have some terrible consequences. You are allowing an agency that doesn't have the kind of restraints the judicial branches do, just basically to go out and invade and harass, and I don't know that they will do that, but I have seen some harassment in some other parts in the past and I worry that someone will do that. We are going way beyond something that we should use for a tool to nonetheless do a decent purpose. I don't argue at all with the purpose, I just think that we're giving a chain saw to somebody when it would be safer using a screwdriver or small hammer. I therefore rise in opposition to this legislation.

SENATOR PODLES: Senator Heath, would you believe that this is a mandate from the federal government to come up with new guidelines for child support for the State of New Hampshire? In fact we have had people here from the federal government helping us with these guidelines.

SENATOR HEATH: Senator Podles, while I do believe that, I also believe that if you understood how much a mandate from the federal government meant to me you wouldn't have asked that question. And I will tell you something else. To prove my good faith in the objective of this bill, I contacted Massachusetts the other day and was trying to work on, once more, through the hard background work of Peter DeVree who was honored in this Senate for his DWI work and who later helped us find a potential \$10 million. He has come up with a way that we can use the licenses and the addresses to trace and enforce child support in other states. I think that is a much more realistic way and a much fairer way to do it. And I just think we are really handing the powers that do not belong in agencies and at the level that these powers will be administered at, I don't think these powers belong there. I think we endanger the reputation and sense of fairness and perhaps the liability from issues, I think run great dangers from doing it this way and that is why I object to it.

SENATOR KING: Senator Heath, would it be your understanding that if there was any contesting of a child support settlement between the two spouses that they could go to court and get a court order for these financial records instead of having the agency subpoena them?

SENATOR HEATH: I am certain they could find relief in courts. They always have.

SENATOR ROBERGE: This is not the only agency in state government to have subpoena power. For instance there are several, I could name Insurance as one particularly, so we are not setting a precedent. Number two, I have been a member of the Child Support Enforcement Task Force for about four years and they have demonstrated to me very forcefully that they need this legislation. There is no question in my mind that this is a good piece of legislation and the State of New Hampshire needs it.

Floor Amendment to SB 45-FN

Amend the bill by deleting section 9 and renumbering the original section 10 to read as 9.

AMENDED ANALYSIS

This bill makes changes in the laws relative to child support enforcement, including authorizing the division of human services, department of health and human services, to exercise subpoena power

to obtain parental financial records, clarifying rights of appeal from administrative orders, and requiring the assignment of any support obligation to the division upon application for assistance.

The bill was requested by the division of human services, department of health and human services
Amendment adopted. Ordered to Third Reading.

HOUSE MESSAGE

HOUSE REQUESTS CONCURRENCE WITH AMENDMENTS

SB 13, relative to the definition of legislative and governing bodies of municipalities.

Senator Charbonneau moved concurrence.

Adopted.

SB 64-FN, relative to asbestos management penalties.

Senator Heath moved concurrence.

Adopted

SB 69-FN, establishing the home mortgage guarantee authority.

Senator St. Jean moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Freese, Dupont, St. Jean.

SB 10, repealing a chapter on floating timber and damage therefrom.

Senator Heath moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Heath, Preston, Delahunty.

ENROLLED BILL AMENDMENTS

Enrolled Bill Amendment to HB 138-FN

Amend RSA 200-C:18-23 as inserted by section 1 of the bill by renumbering said sections to read as 200-C:21, 200-C:22, 200-C:23, 200-C:24, 200-C:25, and 200-C:26.

Senator Currier for the committee.

SENATOR CURRIER: This amendment re-numbers a certain section to avoid duplicating the numbering of RSA sections.

Adopted.

Enrolled Bill Amendment to HB 207

Amend section 1 of the bill by replacing lines 2 - 3 with the following:

38 the following new section:

486:39 Waukeena Lake. No person shall use or operate any boat equipped

Senator Currier for the committee.

SENATOR CURRIER: This amendment re-numbers an RSA section to avoid duplicating the number of an RSA section inserted by 1989, chapter 84 (HB 154).

Adopted.

Enrolled Bill Amendment to HB 131-FN

Amend RSA 149-E:3, XI as inserted by section 1 of the bill by replacing line 5 with the following:

paragraph is to require that all wells and associated protective radii be

Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a technical reference in the HB 131.

Adopted.

Enrolled Bill Amendment to HB 375-FN

Amend RSA 415-D:8 as inserted by section 2 of the bill by replacing lines 8-17 with the following:

I. A description of the principal benefits and coverage provided in the policy or certificate.

II. A statement of the principal exclusions, reductions, and limitations contained in the policy or certificate.

III. A statement of the renewal provisions, including any reservation in the policy or certificate of a right to change premiums.

IV. A statement that the outline of coverage is a summary of the policy or certificate issued or applied for and that the policy or the group policy should be consulted to determine governing contractual provisions.

Amend RSA 415-D:11, III as inserted by section 2 of the bill by replacing line 2 with the following:

group other than as described in paragraphs I and II and the Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects the numbering of paragraphs in RSA 415-D:8 and corrects a reference.

Adopted.

Enrolled Bill Amendment to HB 676

Amend RSA 236:56, II(d) as inserted by section 7 of the bill by replacing line 6 with the following:

supervisor of the bureau of off highway recreational vehicles.
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects the name of the Bureau of Off Highway Recreational Vehicles.

Adopted.

Enrolled Bill Amendment to SB 49-FN-A

Amend the bill by replacing lines 2 and 3 of section 1 of the bill with the following:

RSA 21-N:6, VII to read as follows:

VII. Collecting and compiling data from the statewide testing program
Senator Currier for the committee.

SENATOR CURRIER: The explanation to the enrolled bills amendment to SB 49-FN-A is that 1989 chapter 49 HB 71 recodified RSA 21-N:7, x RSA 21-N:6,7. This amendment incorporates substantive changes made in the bill by RSA 21-N:7x into the recodified version.

Adopted.

ENROLLED BILLS

HB 148, relative to relocation assistance and real property acquisition.

HB 167, relative to taking or acquisition of condominium common areas by eminent domain.

HB 219, relative to filing deeds and instruments with the register of deeds.

HB 267, relative to vicious dogs.

HB 277, to prohibit after market tinting of windshields and on certain windows of motor vehicles.

HB 298, relative to the statute of limitations for actions against governmental units.

HB 457, relative to municipal regulation of forestry.

SB 55, relative to the children's trust fund for the prevention of child abuse and neglect.

SB 93, relative to the number of primary ballots to be used for computerized voting machines.

SB 118, relative to private rights-of-way and class VI highways.

HB 458, granting degree-granting authority to the Thomas More Institute of Liberal Arts.

Senator Currier for the committee.

Adopted.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until May 4, 1989 at 10:30 a.m.

Adopted.

LATE SESSION

THIRD READING AND FINAL PASSAGE

HB 32-A, relative to the Hampton Seawall and making an appropriation therefor.

HB 166-FN-A, relative to capital projects for the department of fish and game and authorizing a maintenance and construction crew for the fish and game department and making an appropriation therefor.

HB 210-FN-A, relative to improvements in fire protection for the state house, phase II and III.

HB 305-FN, amending the 10-year highway plan.

HB 354-FN, making an appropriation to fund improvements in Cardigan State Park.

HB 509-FN, authorizing industrial development financing for the Manchester Airport.

HB 80-FN, relative to land under the jurisdiction of the wetlands board and relative to the penalties of the wetlands board.

HB 289, relative to stumps, leaves and yard waste.

HB 332-FN-A, relative to collection and reclamation of motor vehicle wastes.

HB 516-FN, relative to illegal dumping of garbage.

HB 118-FN, relative to collision damage waiver.

HB 50, exempting the department of transportation and the department of safety from the authority of the director of information services.

HB 82-FN, relative to the police standards and training council and the fire standards and training commission.

HB 397-FN, relative to composition of the dental board.

HB 608-FN, establishing a study committee to examine the procedures of siting, licensing and operation of energy related facilities.

HB 664-FN, transferring enforcement authority over the equal pay act from the labor commissioner to the commission for human rights.

HB 748, relative to anatomical gifts accepted by medical or dental schools.

HB 264-FN, prohibiting the distribution, sale, possession, or use of anabolic steroids except for purposes of medical treatment.

HB 449-FN, relative to civil suits against municipal officials.

HB 699-FN, prohibiting the possession of firearms by career criminals and imposing a minimum mandatory sentence.

HB 39, relative to the distribution of OHRV fees.

HB 587-FN, relative to special number plates for persons with walking disabilities.

HB 710, regulating the use of social security numbers by the department of safety.

HB 291-FN-A, relative to the real estate transfer tax.

HB 414-FN-A, relative to the sale or exchange of beneficial interests in business organizations for business profits tax purposes.

HB 385-FN-A, to tax all forms of tobacco products.

HB 464, establishing a study committee on bingo laws and the conduct of bingo games.

HB 643-FN, relative to retention and destruction of district court records, responsibility for payment of costs of court-ordered services, and taxable court costs.

HB 652-FN, relative to discounts and credit terms for the sale of wine.

SB 45, relative to child support enforcement.

Adopted

Senator Dupont moved to adjourn.

Adopted.

Adjournment

May 4, 1989

The Senate met at 10:30 a.m.

A quorum was present.

Senator Magee in the chair.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we thank you for the beauty of Thy Creation - as we celebrate today, the lilac, our state flower; the oldest bush being in Portsmouth, NH since 1750! So may we, too, fashion our own lives that we may show forth our beauty day by day. Help us, Lord.

Amen

Senator Delahunty led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

HB 561, relative to the protection of public funds.

Inexpedient to Legislate. Senator Dupont for the committee.

SENATOR DUPONT: HB 561 is a piece of legislation that has been before this body in previous years. We spent considerable time hearing testimony on this bill from many municipal and county officials. Mainly individuals from the government sector were opposed to this piece of legislation. We were unable to work the problems out and the committee decided that at this point in time that it was best to go Inexpedient to Legislate.

Adopted.

Senator Currier wished to be recorded as opposed to the decision.

HB 173-FN-A, relative to the dedication of the Hampton State Beach lifeguard facility and making an appropriation therefor.

Ought to Pass with Amendment. Senator Preston for the committee.

SENATOR PRESTON: This bill was sponsored by Representative Tufts, former Senate President, who placed this bill in essentially for two things. To dedicate the lifeguard station facility at Hampton to lifeguard David S. Thomas who was struck and killed by lightning last summer while on duty. And it also authorizes that facility for renovation for some \$35,000 to up-grade the building.

Amendment to HB 173-FN-A

Amend the bill by replacing all after section 1 with the following:

2 Renovation and Dedication of the Lifeguard Facility at Hampton Beach State Park. The department of resources and economic development shall renovate and equip the lifeguard facility at Hampton Beach state park and dedicate such facility to the memory of David S. Thomas. The renovations and equipment shall include, but not be limited to, an improved, air-conditioned, and well equipped first-aid room, a modernized control room including a radio desk/panel, an observation station, binoculars, telescope, public address system, and upgraded lifeguard locker rooms. The department shall ensure that an appropriate memorial plaque is installed at the new facility in memory of David S. Thomas. The department is authorized to accept all grants, gifts, and donations and may expend any monetary grants, gifts and donations for the purposes enumerated in this act.

3 Appropriation. The sum of \$35,000 is hereby appropriated to the department of resources and economic development for the biennium ending June 30, 1991, for the purposes of this act. This appropriation shall be nonlapsing and shall be in addition to any other sums appropriated to the department. Notwithstanding any other provision of law to the contrary, this appropriation shall be a charge against the parking meter account established for the Hampton Beach facilities pursuant to RSA 216:3.

4 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

HB 129-FN, establishing fees for reviewing plans to dredge and creating new classified positions and making an appropriation therefor. Ought to Pass. Senator Bond for the committee.

SENATOR BOND: HB 129 authorizes four additional positions in the Division of Water Supply and Pollution Control. In fact those positions already exist and are staffed through federal funding. What this bill does is make it possible to continue to provide for reviewing plans for dredge and certain other activities. The funding for these positions will come through a fee schedule which is related to the square footage of the site to be developed and the breakdown on the next to the last page will show you the actual fiscal impact and on the last page will show you the fiscal note how the funding will cover those positions. Without these positions we will be losing a supervisor and three inspecting persons in the Division of Water Supply and Pollution Control and we strongly urge that you find this Ought to Pass.

SENATOR JOHNSON: Senator Bond, can you assure me that if we pass this bill that the fees associated with the bill will be sufficient to fund the four positions to which you referred?

SENATOR BOND: The testimony that was given to our committee, Senator Johnson, based on the fiscal note on the last page is that we will receive more than enough funding to continue to fund these four positions.

Senator Bond moved to lay HB 129-FN on the table.
Adopted.

HB 157-FN-A, relative to state ski operations at Mount Sunapee and Cannon Mountain and making an appropriation therefor.
Ought to Pass. Senator Currier for the committee.

SENATOR CURRIER: This bill is a result of a massive study that was conducted in terms of the state-owned ski areas and the committee had looked into establishing a state ski area authority and a number of other potential avenues to beef up the operations of Sunapee and Cannon and basically this bill is a result of that effort. And one of our illustrious senators and majority leader, Senator Dupont, served on that committee along with other members of the industry and members of the House and, after having reviewed this bill in the Development, Recreation and Environment Committee, we felt that this measure is the best approach to bringing our state ski areas in line in terms of competitive nature with private industry and giving the overall operations, with a new marketing manager and director of skiing, the opportunity to compete with private industry and yet at the same time bringing in additional revenues to the state by having somebody in direct control of the day-to-day operations of these ski areas and it is really not establishing any more bureaucracy, it is actually cutting through some of the bureaucracy in terms of running the state-owned ski areas. We urge your support.

SENATOR NELSON: I notice that this bill is asking for money and you're requesting a position. Is that a brand new position?

SENATOR CURRIER: Yes, Senator it is.

SENATOR NELSON: And from where is that money going to come?

SENATOR CURRIER: We are going to leave that to the Senate Finance Committee and I think maybe Senator Dupont, who has more direct knowledge of that, could probably answer that question better.

Adopted. Referred to Finance (Rule #24).

HB 240-FN-A, establishing a shooting range study committee.
Inexpedient to Legislate. Senator Krasker for the committee.

SENATOR KRASKER: What HB 240 would do is establish a study committee whose purpose is to establish a state-owned and operated shooting range facility. The committee listened to the sponsor and to the supporter of the bill from New Hampshire Wildlife Federation, and felt that it was a very commendable project but that it rather should be a private venture and we would encourage private interests to gather together to form a committee and find the funds for this range facility through private means. And so the committee urges Inexpedient.

Senator Heath moved to substitute Ought to Pass.

SENATOR HEATH: I am asking an Ought to Pass motion on this because this is a bill that if we believe in gun safety and we believe in giving our police officers and our fish and game officers a chance to practice their skills which may save their lives and if we believe in teaching our youth proper gun handling methods before they go hunting or target shooting in other areas, we have to have ranges. And with liabilities and the development of land around the state, we are losing target ranges and we are losing them rapidly and we need to do this for those purposes. This isn't for recreation for fun as much as it is to teach safety, and to improve the skill of our own law enforcement officials. The cost of this can be nothing. If they find a piece of surplus land that they can use, it can go there. The fees coming into there can pay for the operation. It is not an operation with only an officer there only when people are there using the range. Having been involved in a range, I can assure you the cost of a range establishment is basically building a small shelter and a back stop and some chains and fences and signs. It is not an expensive proposition and, in this day and age, it is critical if we are going to continue to hold the reputation of one of the tops in the nation in hunter safety and continue that program. We need this for the future as ranges are closed up all over the state and I would urge you to support the motion of Ought to Pass.

Substitute motion adopted. Ordered to Third Reading.

HB 436-FN-A, relative to sewage treatment funds and making an appropriation therefor.
Ought to Pass. Senator Krasker for the committee.

SENATOR KRASKER: This bill increases the state contribution for sewage treatment funds from 20 percent to 50 percent and stipulates that any municipality which undertakes construction of such a facility without a federal grant is eligible. At the present time, because of the decrease in federal funds, communities are being forced to pay for the bonding up to 80% rather than the 5 percent they were responsible for in the past. This will provide for a more equitable sharing of costs for new construction and for expansion and, in addition, it is basically an environmental bill because it will preserve the quality of our waters.

Adopted. Referred to Finance (Rule #24).

HB 465, changing the name of the solid waste management council. Ought to Pass. Senator McLane for the committee.

SENATOR MC LANE: This bill makes a very simple change. It takes the word solid out of the Solid Waste Management Council. In this way it would include hazardous waste appeals. They have only had one appeal since the hazardous waste has been considered part of the new DES department. As it is now, Commissioner Howard sets the policy and hears the appeals. Under this bill the solid waste management council would hear hazardous waste appeals.

Adopted. Ordered to Third Reading.

HB 492, relative to recreational campgrounds and camping parks. Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: The committee labored long and hard over this particular bill which basically sets up pollution standards for campgrounds. The bill had some really serious problems which really made it, in effect, a restraint of trade bill potentially, rather than its real objective which is to clean up the environment a little bit in these areas. The amendment which we agreed to, which is in the calendar, is not satisfactory. So as a result I have had distributed a floor amendment being offered by Senator Bond and myself. I would like to urge you to defeat the pending amendment at which time I will offer another amendment.

Amendment failed.

Senator Bass offered a floor amendment.

SENATOR BASS: This is an amendment that has been agreed to by those people who are involved in the agricultural fairground as well as my concern on the definition of controlling recreational vehicles in campsites made it impossible for a) for any summer camps to work

b) you wouldn't be able to have annual events such as the gas engine meet in Dublin, NH or Indian Tribes meeting or, quite frankly, the Loudon motorcycle race. So as a result, this amendment contains an exemption for occasional commercial or non-commercial use of land for recreational purposes. It only requires that the person utilizing the land for this purpose provide a means by which the RVs can dispose of their waste. I urge the Senate to adopt the committee amendment and send the bill on to third reading with the amendment.

Floor Amendment to HB 492

Amend RSA 216-I:1, VII as inserted by section 1 of the bill by replacing it with the following:

VII. "Recreational campground or camping park" means a parcel of land on which 5 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency, excluding recreation camps as defined in RSA 149:20.

Amend RSA 216-I:9, III as inserted by section 1 of the bill by replacing it with the following:

III. Fireplaces shall not be moved.

Amend RSA 216-I as inserted by section 1 of the bill by inserting after section 12 the following new sections:

216-I:13 Partial Exception for Certain Uses of Recreational Vehicles. Except as provided in RSA 216-I:4, II, this chapter shall not apply to the occasional commercial or non-commercial use of parcels of lands for siting of recreational vehicles, if the parcels are used for not more than 7 days in any calendar year; however, the owner of the land or the party responsible for the land shall file a statement of compliance with the governing body for the municipality in which the parcel is located, stating the method of compliance with RSA 216-I:4, II, within 7 days prior to the commencement of each use. Nothing in this section shall be construed to limit or modify the authority of local municipalities to enforce local regulations and ordinances relative to zoning and health and safety.

216-I:14 Exception for Agricultural Fairs. Except as provided in RSA 216-I:4, II, this chapter shall not apply to recreational vehicles used in conjunction with events or fairs sponsored by any member of the New Hampshire Fairs Association. However, the person responsible for the operation of the agricultural event at the fairground

shall file statement of compliance with the governing body for the municipality in which the fairground is located, stating the method of compliance with RSA 216-I:4, II within 7 days prior to the commencement of each event. Nothing in this section shall be construed to limit or modify authority of local municipalities to enforce local regulations and ordinances relative to zoning and health and safety. Amendment adopted. Ordered to Third Reading.

HB 546-FN, relative to the water protection assistance program. Ought to Pass. Senator Krasker for the committee.

SENATOR KRASKER: Four years ago, the state passed the Technical Water Assistance Program which is to assist in the development of local water resource management and protection plans. According to Dave Scott in the office of State Planning, this supports the role of Office of State Planning and will allow them to do more technical work and also provides a little bit more flexibility for the towns in developing these plans. The committee urges its adoption.

Adopted. Ordered to Third Reading.

HB 582-FN, relative to a committee to review surface water use restrictions on the public waters of the state. Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: The amendment for HB 582 will be found on page 7. It refers to the dedication of the state police barracks in Milford. The general court hereby dedicates the state police barracks in Milford to the memory of Major John T. Conti, Sergeant Roger Hilton and Sergeant William Smith in recognition of their long and distinguished careers in the New Hampshire State Police.

Amendment to HB 582-FN

Amend the title of the bill by replacing it with the following:

AN ACT

dedicating the state police barracks in Milford to
Major John T. Conti, Sergeant Roger Hilton,
and Sergeant William Smith.

Amend the bill by replacing all after the enacting clause with the following:

1 Dedication; State Police Barracks in Milford. The general court hereby dedicates the state police barracks in Milford in memory of

Major John T. Conti, Sergeant Roger Hilton, and Sergeant William Smith, in recognition of their long and distinguished careers with the New Hampshire state police.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill dedicates the state police barracks in Milford to the memory of Major John T. Conti, Sergeant Roger Hilton, and Sergeant William Smith.

Amendment adopted. Ordered to Third Reading.

HB 586-FN, relative to siting and permitting of solid and hazardous waste disposal facilities.

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: The amendment you will find on page 7. It requires the Division of Waste Management to hold public hearing on any application to transfer the permit to operate a hazardous or solid waste disposal facility. The bill requires at least two weeks notice of such hearing so that the public can be aware when a transfer of a solid waste management facility is being contemplated. The bill requires a notification of certain persons of applications for solid waste disposal facilities siting permits, transfers of such permits and public hearings on the location of solid and hazardous waste disposal sites. It requires corporations applying for hazardous waste operations and solid waste facilities operator constructions, storage or transportation to fully disclose the ownership of the corporation. It provides for seizure and forfeiture by the state for property used or intended for use in any violation of the chapter on solid waste management. It defines the generator of low level radioactive waste and establishes a non-lapsing revolving special fund for safe management and disposal of low level radioactive waste generated within New Hampshire.

Amendment to HB 586-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to siting and permitting of solid and hazardous waste disposal facilities; to forfeiture of property for solid waste management violations; and to low-level radioactive waste management.

Amend the bill by inserting after section 12 with the following:

13 New Section; Forfeiture of Property. Amend RSA 149-M by inserting after section 11-b the following new section:

149-M:11-c Forfeiture of Property.

I. Any property including but not limited to equipment, vehicles, and real property used or intended for use in violation of this chapter, and any property constituting the proceeds of a violation of this chapter, including but not limited to money, may be seized by the state and forfeited to the state as provided in this section. Property seized under this section may be held by the state either as evidence of a violation of this chapter or in order to secure it prior to forfeiture proceedings.

II. The state may seize any interest in real property by filing in the registry of deeds in the county where the property is located a notice of attachment stating that the state has attached the identified property pursuant to this section.

III. The state shall have a lien on any property subject to forfeiture under this section upon seizure of such property. Upon forfeiture the state's title to the property relates back to the date of seizure.

IV. Within 30 days of the seizure of any property under paragraph I the attorney general shall file a petition in the superior court of the county in which the property was seized, requesting forfeiture of the property. The court shall issue an order of notice requiring the state to send by certified mail a copy of the petition to the owner of the property and to other persons appearing to have an interest in the property. If no such petition is filed within 30 days of the seizure of the property, that property shall be returned to its owner.

V. Within 30 days of receipt of the attorney general's petition for forfeiture the court shall schedule a hearing. This hearing shall be conducted as a civil action. The court may order forfeiture of the property seized under paragraph I if the state establishes by a preponderance of the evidence that (a) the property was used or intended for use in violation of the chapter or that the property constitutes the proceeds of a violation of the chapter and (b) that the owner of the property knew or should have known that the property was used or intended for use in violation of the chapter or that the property constituted the proceeds of a violation of the chapter. At the request of any party to the forfeiture proceedings, the court may grant a continuance until the final resolution of any proceedings which were brought against a party under this chapter and which arose from the transaction which gave rise to the forfeiture proceeding.

VI. If forfeiture is granted, the attorney general shall provide for the disposition of the property forfeited in any manner not prohibited by law, including retention of the property for official use by

law enforcement or other public agencies or by sale at public auction. The attorney general shall pay the reasonable expenses of the seizure, forfeiture proceeding, and sale of property from the proceeds of any public auction of forfeited items or from any penalty obtained under this chapter. All outstanding recorded liens on any property forfeited shall be paid in full at a reasonable time following the court proceedings.

14 New Paragraph; Definition; Generator. Amend RSA 125-F:3 by inserting after paragraph VII the following new paragraph:

VII-a. "Generator" means a person who produces or treats low-level radioactive waste in the state.

15 New Section; Low-Level Radioactive Waste Management Fund. Amend RSA 125-F by inserting after section 8 the following new section:

125-F:8-a Low-Level Radioactive Waste Management Fund.

I. There is hereby established the New Hampshire low-level radioactive waste management fund to be used for the purposes of this section. This nonlapsing, revolving special fund is hereby continually appropriated to be expended by the division of public health services in accordance with this section. Money collected under this section but not needed to meet the obligations of the division of public health services under this section shall be deposited in the New Hampshire low-level radioactive waste management fund. The state treasurer shall invest the moneys so deposited as provided by law. Interest received on investments made by the state treasurer shall also be credited to the fund.

II. The fund shall be used to provide for the adequate and safe management and disposal of low-level radioactive waste generated within New Hampshire. After the governor certifies that circumstances require the use of the fund, the division of public health services may enter into contracts, agreements, or consultative services and use the fund for the following purposes:

- (a) Paying any disposal costs and associated surcharges for the disposal of low-level radioactive waste;
- (b) Hiring of consultants and personnel;
- (c) Purchase, lease or rental of necessary equipment; and
- (d) Other necessary expenses directly associated with the management and disposal of low-level radioactive waste.

III. Every generator of low-level radioactive waste located in this state which exports the waste for disposal shall pay quarterly a low-level radioactive waste generator fee to the division of public health services. This quarterly fee shall be based on a per cubic foot of waste exported. The director shall, by rules adopted pursuant to RSA 541-A, establish a schedule of low level radioactive waste gen-

erator fees. The division of public health services shall forward the fees collected under this paragraph to the state treasurer for deposit in the low-level radioactive waste management fund.

IV. Any low-level radioactive waste disposal surcharge collected by the appropriate federal agency pursuant to the Low Level Radioactive Waste Policy Act of 1980, as amended, and returned to the state of New Hampshire shall also be deposited in the low-level radioactive management fund.

16 New Subparagraph; Special Fund. Amend RSA 6:12 by inserting after subparagraph (aa) the following new subparagraph:

(bb) The money received under RSA 125-F:8(a), which shall be credited to the New Hampshire low-level radioactive waste management fund.

17 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

The bill requires the division of waste management to hold a public hearing on any application to transfer the permit to operate a hazardous or solid waste disposal facility. The bill requires at least 2 weeks' notice of the public hearing.

The bill also requires direct notification of certain persons of applications for solid waste disposal facility siting permits, transfers of such permits, and of public hearings on the location of solid and hazardous waste disposal sites.

The bill requires corporations applying for hazardous waste operator or solid waste facility operator; construction, storage, or transportation permits to fully disclose the ownership of the corporation.

The bill provides for seizure and forfeiture by the state of property used or intended for use in any violation of the chapter on solid waste management.

The bill also defines a "generator" of low-level radioactive waste and establishes a nonlapsing revolving special fund for the safe management and disposal of low-level radioactive waste generated within New Hampshire.

Amendment adopted. Ordered to Third Reading.

HB 606-FN, relative to approvable plans for solid waste management districts.

Ought to Pass with Amendment. Senator Bond for the committee.

Senator Bond moved to lay HB 606-FN on the table.

Adopted.

HB 722-FN, regarding solid waste management district.
Ought to Pass with Amendment. Senator Bond for the committee.

Senator Bond moved the lay HB 722-FN on the table.
Adopted.

HB 59, changing the name of the New Hampshire vocational-technical college education system.
Ought to Pass with Amendment. Senator Disnard for the committee.

SENATOR DISNARD: The committee urges the Senate to pass HB 59. HB 59 relates to changing the name of the post-secondary vocational-technical education system by deleting the word vocational. For many years, I was against it. I changed my mind for the following reasons. Not one person spoke in opposition to this and this is just one example of 105 names on a petition and I received several petitions from each of the vocational-technical schools in favor of this change, calls from the Presidents and past graduates. Now why do they wish this change? They wish this change for several reasons. The graduates and members of the vocational-technical schools are of the opinion, with their deans and presidents and all their professors, that the vocational word in the college does not assist them in obtaining positions. Employers do not understand a vocational school. They would like to keep it a technical school. Most of the subjects are of a technical nature. And they are being confused with the high school vocational schools.

SENATOR BOND: I just very briefly rise in strong support of this bill. Its time has long since come. We are marketing the post-secondary education system to our students and they can be proud of it and that there is no confusion about who their degree is from. And I strongly urge you to support the bill.

SENATOR JOHNSON: I, too, rise in support of the pending motion and, like Senator Disnard, have opposed this in the past. And the reason I opposed it in the past is that the bureaucrats that were behind the bill never really made the case. This particular year the students, the people directly affected, got involved in it and made the case and convinced me rather readily there. But with all due respect to the petition that Senator Disnard pointed out there, I would think that the source of that would have been better advised to combine some of those signatures, instead of being prolific in sending me and the rest of you that huge package of material.

SENATOR HEATH: I guess I am going to rise here and take an unpopular point of view. I got some of the least literate letters I have

received from people who want to upgrade the name of this institution. If it were my choice based on those letters, and I say this as an old English teacher, it would be a school not a college whether vocational or not, I don't argue. But I don't see that anybody should be ashamed of vocational. We have good vocational schools in New Hampshire and nobody should be ashamed. That is not a title to be degraded in the State of New Hampshire. And I think when an institution wants to inflate its title, then it ought to start bringing up the quality of its courses. And if nothing else comes from this short, unpopular speech on the subject, I hope they will go back and look at their English Composition courses and improve them, because I was astounded that I would get semi-literate letters asking for an institution to be upgraded in title. And giving it a new name doesn't give it a new image unless the graduates from there can write comprehensive English sentences and paragraphs and some of them that wrote me couldn't seem to manage that.

SENATOR BLAISDELL: I rise in strong support of the committee report. I received many letters, Senator Heath, from not only people in the voc-tech system, but from all over the State of New Hampshire. And the ones I received I think were well written, but I guess the most important thing, this is the greatest investment and the best investment that we have made in the State of New Hampshire is our voc-tech system. If they want to change the name to make it better, fine with me and I agree with Senator Disnard and Senator Johnson. Ninety percent of those kids go to the voc-tech school, they graduate, they belong in this state, they are taxpayers, they give a lot back to the system. So I think if they want to change their name and upgrade it, I am tickled pink.

SENATOR NELSON: I would just say that there is no name change or title change in the State of New Hampshire that has received more study committees, more public hearings on. It has been talked about since 1983. So I strongly support the committee report.

SENATOR HEATH: Senator Blaisdell, would you believe that I could have shown you an example except that I corrected it and sent it back to the sender and I would have, had I still been an English teacher and that had been a composition in my class, given it a C minus and while I think these are fine institutions, I am not ready to call them universities of science yet, nor am I ready to drop vocational while I can still support the institution. Would you believe that?

SENATOR BLAISDELL: Senator, I guess I would believe anything you wanted to tell me, but again you are not going to change my mind on the voc-tech system. I think it is great.

Amendment to HB 59

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

Amendment adopted. Ordered to Third Reading.

HB 136-FN-A, relative to education in unorganized places.

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: The amendment simply changes the effective date for this bill. This bill changes the budgetary process for paying tuition and transportation for students living in unorganized places, of which there are 22 in my district, by authorizing continuous appropriation to the Department of Education. What this means is that up until about 4 years ago, the state raised the funds in the unincorporated places and paid the tuition for the kids from those places in incorporated towns that had school districts. Governor Sununu changed the process so that these funds had to pass through the budget. The state last year notified the property owners how much it would cost for school tuition this year and it came to about \$250,000. The budget, which was formulated two years ago, only provided for \$180,000 to pay out those funds to the districts that provided education. Therefore, it is necessary for us to change the statute so that those funds can be paid to the towns that have already provided the educational services to the unorganized towns.

Amendment to HB 136-FN-A

Amend the bill by replacing section 2 with the following:

2 Effective Date. This act shall take effect upon its passage.

Amendment adopted. Ordered to Third Reading.

HB 226-A, relative to state-issued bonds for college tuition.

Ought to Pass with Amendment. Senator Disnard for the committee.

SENATOR DISNARD: This is one of the most important educational bills that will hit this Senate in a decade. This bill is very important, if you will just read the analysis. This bill establishes a college savings bond program by authorizing the state to sell zero

coupon bonds. It also provides the formula to be used in computing and issuing these bonds, and establishes an advisory committee to develop an implementation plan by August 1, 1990. I assume you realize that zero coupon bond means no interest is paid until the time the money is collected. For example, bonds may be sold for \$250; at the maturity date they may be worth \$1,000. I wish to call your attention to an amendment that is listed on page 12 because it refers to HB 751. When we passed 751, some concerns were voiced, and you will notice the amendment. If this bill is passed, the section 4 will be added "an act relative to state issued bonds sold at discount becomes law, section 1 of this act 226 will not be in effect." We understand that legally there is a conflict with this, so this will correct that.

SENATOR NELSON: Do you think that this is giving many of the families in the State of New Hampshire an opportunity to help get an education for their children when, in fact, they might not have been able to?

SENATOR DISNARD: Yes, Senator Nelson, in addition to this, there is a strong possibility that when this panel meets to make recommendations back to the legislature and the governor that perhaps they may be able to entice the University System to offer additional discounts for those who belong to this attending the university school in the state. It is a strong possibility, but the average and below average taxpayer in terms of income will be able to help himself or herself.

Amendment to HB 226-A

Amend RSA 195-G:2 and 3 as inserted by section 2 of the bill by replacing them with the following:

195-G:2 Definitions. In this chapter "college saving bonds" means general obligation bonds of the state issued pursuant to RSA 6-A and this chapter.

195-G:3 College Savings Bonds. Bonds sold pursuant to RSA 6-A:12 may be designated by the state treasurer as college savings bonds. Such college savings bonds shall mature not less than 5 years nor more than 20 years from the date of issuance, unless the state treasurer determines otherwise, and shall be subject to such financial incentives as may be otherwise provided.

Amend RSA 195-G as inserted by section 2 of the bill by deleting sections 4 and 6 and renumbering the original section 195-G:5 to read as 195-G:4.

Amend the introductory paragraph of paragraph II of section 3 of the bill by replacing it with the following:

II. The committee shall develop and submit to the governor, the president of the senate and the speaker of the house of representatives for review a plan of implementation for the initial issue and sale of college savings bonds on or before August 1, 1990. Such plan shall include:

Amend the bill by replacing section 4 with the following:

4 Contingency Provision. If HB 751 of the 1989 legislative session, "An Act relative to state-issued bonds sold at discount", becomes law, section 1 of this act shall not take effect.

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill takes the first step in establishing a college savings bond program to help New Hampshire families pay for postsecondary education. The bill authorizes the selling by the state of general obligation bonds at a price that is reduced from the face value of the bonds.

The bill establishes a formula for determining (1) the amount of state bonds sold at a discount at the time of sale; (2) the amount of state bonds of any issue sold at a discount for the purpose of computing any statutory debt limit; and (3) the amount of proceeds from bonds sold at a discount expended by the state.

A contingent provision of the bill provides that if HB 751 becomes law, section 1 of the bill relative to the formula will not take effect. HB 751 inserts the same new RSA section as section 1 of this bill.

The bill also establishes an advisory committee which shall develop an implementation plan on or before August 1, 1990, which shall provide for the initial issuance and sale of the bonds.

Amendment adopted. Ordered to Third Reading.

HB 374-FN-A, relative to the Head Start program and making an appropriation therefor.

Ought to Pass with Amendment. Senator Disnard for the committee.

SENATOR DISNARD: This is a bill relative to the Head Start program and making an appropriation. What this bill says is the transportation section of the Head Start program. It will be used to purchase and replace vans. Right now the federal monies have been cut back. They need transportation. Some of these vehicles are in

excess of 170,000 miles. I push to call your attention that the monies will not be used for salaries. Only to purchase vans and to maintain those vans.

Amendment to HB 374-FN-A

Amend the bill by replacing section 1 with the following:

1 Purpose. The legislature recognizes that over the years Project Head Start has made significant contributions to the educational, medical and social well-being of many of New Hampshire's young children. New Hampshire Head Start serves 776 children, approximately 140 of whom are handicapped. The Head Start program has been shown to result in improved academic performance, lower absenteeism from school, greater parental participation in a child's later education, and other important social gains. The funding for the Head Start program is mostly from federal sources, and increases in the federal funds have not been adequate to cover the effects of inflation. The New Hampshire Head Start program is in need of supplemental funding to provide for maintenance of a safe transportation system for the children in the program. In view of the benefits to New Hampshire's children that this program provides, and the lower state education and human service costs which are the consequences of these benefits, the legislature finds a significant state interest in maintaining the Head Start program at a quality level.

Amendment adopted. Referred to Finance (Rule #24)

HB 410-FN-A, relative to nursing scholarships and making an appropriation therefor.

Ought to Pass. Senator Nelson for the committee.

SENATOR NELSON: The purpose of this bill is to increase the money available to students desiring to enter the nursing profession, including part-time students. This bill includes the provision that additional monies requested would have to be matched by the school in order to be used. The post-secondary education commission will determine the allocation of the additional funds to specific schools. Then the school would seek the matching funds from the private sector. The nursing shortage, which is really an increased need for licensed nursing personnel, has been well publicized nationally and in New Hampshire. We believe that this bill is one concrete attempt to meet the health care needs of the citizens of New Hampshire.

Adopted. Referred to Finance (Rule #24).

HB 556, relative to the board of governors, and administrative board, and the commissioner of the department of postsecondary vocational-technical education.

Interim Study. Senator Disnard for the committee.

SENATOR DISNARD: The committee unanimously urges the Senate to send this to Interim Study. I would like to give you several examples. One portion of the bill, as we understood it, would allow the post-secondary vocational college system to bypass local rules and regulations to lease and sell land, gravel, excess cord wood, timber. In other words, they could bypass any local ordinance and we didn't think this was realistic. Also, they could move money from one college to another by the authority of the board of governors. And we felt this needed a little discussion. In addition to that, it would eliminate the fact that the presidents would have to review annually the deans. There were many problems with this bill and we think it needs much study.

Adopted.

HB 570-FN-A, establishing a forgivable teaching loan program and making an appropriation therefor.

Ought to Pass. Senator Disnard for the committee.

SENATOR DISNARD: The education committee urges you to Ought to Pass. This bill establishes a forgivable teaching loan program for residents of New Hampshire who are training as teachers at the post-secondary level. The bill makes an appropriation for this purpose of \$100,000. It is only those areas that are determined by the Department of Education to be critical areas. The loans would be forgiven on the basis of the number of years he or she taught in New Hampshire. After 3 years the loan would be forgiven and prorated if they teach one or two years.

SENATOR JOHNSON: I rise in support of the pending motion. We have a burgeoning school system in New Hampshire and there is an increasing need for teachers, particularly in the areas of shortages that Senator Disnard pointed out. This is for New Hampshire residents and I think this is an opportunity for us to show our support to the teaching profession and make sure that the teacher shortage areas are taken care of in New Hampshire.

Adopted. Referred to Finance (Rule #24).

HB 640-FN, to permit the Wakefield school district to withdraw from the Rochester authorized regional enrollment plan.

Ought to Pass with Amendment. Senator Disnard for the committee.

SENATOR DISNARD: This is a bill that permits the Wakefield school district to withdraw from the Rochester authorized regional enrollment plan. I would like to point out that the Rochester school board chairman spoke in favor of this. The towns of Wakefield and Milton have already had unanimous town meetings, overwhelming town vote for this. There are great concerns in both of those districts with the additional increase in enrollments and another factor that you might want to pay attention to if you had children traveling to school. Presently, the children from one of these communities spend 2 and half hours on buses traveling to and from school. As an example some have to get on the bus at 5:45 a.m. in order to arrive for 7:30 classes. There was no opposition.

Amendment to HB 640-FN

Amend the bill by deleting section 5 and renumbering section 6 to read as 5.

Amendment adopted. Ordered to Third Reading.

HB 41, clarifying the authority of municipalities to form districts for the purpose of hiring municipal prosecutors.

Ought to Pass with Amendment. Senator Disnard for the committee.

SENATOR DISNARD: This a bill that clarifies that districts may be formed by municipalities for the appointment and compensation of municipal prosecutors. Some time the word housekeeping is overdone, but this is truly a housekeeping bill. It allows a change in the law where a small community may, with a large town or large city, get together and buy the services of their prosecutors. That is all it does.

Amendment to HB 41

Amend RSA 41:10-a as inserted by section 1 of the bill by replacing it with the following:

41:10-a Municipal Prosecutors. The selectmen of towns **or the appropriate appointing authorities** are hereby authorized to appoint and compensate one or more qualified members of the New Hampshire bar to serve as municipal prosecutors to represent the state, in place of police officers, in cases involving civil causes, violations and misdemeanors within the jurisdiction of the municipal or district

courts except as provided in RSA 502-A:20-a and RSA 502:26-c. Said municipal prosecutors shall serve at the pleasure of the [selectmen] **appointing authority**. Two or more [towns] **municipalities** may engage the services of a single municipal prosecutor as provided in [RSA 53-A:3, VIII-a] **RSA 53-A. Nothing in this section shall be construed to prohibit the state police from prosecuting any violation or misdemeanor in any district or municipal court in this state.**

Amendment adopted. Ordered to Third Reading.

HB 120-FN, increasing the amount available for suggestion and incentive awards to state employees.

Ought to Pass with Amendment. Senator Currier for the committee.

SENATOR CURRIER: The amendment is found on page 13 of your calendars. And basically the amendment increases the appropriation back to \$10,000. Testimony at this hearing indicated that the actual awards for these incentives to state employees have actually generated large amounts, in fact it may be in the millions of dollars, in savings to the state in that the incentive awards program should be extended to \$10,000 as suggested in the original bill, but it was decreased in the House and we have asked that it put back in in terms of the committee amendment. We urge the Senate to go forward with this message in terms of encouraging state employees to make suggestions and giving them incentives for making those suggestions in terms of saving the state thousands upon thousands upon thousands of dollars.

Amendment to HB 120-FN

Amend the bill by replacing section 1 with the following:

1 Amount of Rewards. Amend RSA 99-E:6 to read as follows:

99-E:6 Rewards. The committee shall present to the governor and council its requests for payment of awards under this chapter. The total of rewards granted in any fiscal year shall not exceed [\$5,000] **\$10,000**. The governor is authorized to draw his warrant for rewards granted out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

The bill increases the total amount available each year for suggestion and incentive awards to state employees from \$5,000 to \$10,000.

The bill is the request of the division of personnel.

Amendment adopted. Ordered to Third Reading.

HB 371-FN-A, relative to licensing respiratory care practitioners and making an appropriation therefor.

Ought to Pass. Senator Currier for the committee.

SENATOR CURRIER: This bill is basically setting up a licensing board for respiratory care practitioners and making an appropriation through the fee structure for the respiratory care practitioners and we urge the Senate's full confirmation of this by passing this bill.

SENATOR KING: Senator Currier, would you explain to me what a respiratory care practitioner is?

SENATOR CURRIER: Take your bill out, Senator King. The definitions of the bill are on the third page in. It is a person who is employed for the practice and performance of respiratory care, who has the knowledge and skill necessary to administer and functions in terms of other sections of the bill dealing with specific respiratory care problems including home health care.

SENATOR KING: Do we have any reason to believe that the people who hire these people don't make sure that they have an adequate amount of education already?

SENATOR CURRIER: There was testimony in the hearing to indicate that the respiratory care profession was in need of a licensing application, not so much because of latent misuse of licensure, but to ensure the quality of care in terms of home health care industry as well as the hospital and nursing home level.

Adopted. Referred to Finance (Rule #24).

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 376-FN, licensing physician assistants.

Ought to Pass with Amendment. Senator Currier for the committee.

SENATOR CURRIER: This is another licensing board established for physician assistants and the amendment is on page 14 of your calendar. And basically what the amendment does is it deals with the rulemaking authority with regards to physician assistants being licensed to issue prescriptions. And the key phrase in the amendment is the roman 2 that the board, in collaboration with the New Hampshire Pharmacy Board, shall adopt rules under RSA 541 relative to the prescription to be issued by physician assistants. This

board would be under the guides of the Board of Registration of Medicine and the committee urges your adoption of the amendment and Ought to Pass with amendment.

Amendment to HB 376-FN

Amend RSA 328-C:10 as inserted by section 1 of the bill by replacing it with the following:

328-C:10 Rulemaking.

I. The board, in cooperation with the physician assistant advisory committee, shall adopt rules under RSA 541-A relative to:

- (a) The scope of practice for a licensed physician assistant.
- (b) Form and content of the application for licensure.
- (c) Application procedures.
- (d) Conduct of hearings under RSA 328-C:6.
- (e) Standards for physician assistant education and training.
- (f) Supervision of physician assistants.
- (g) Notification of changes in employment.
- (h) Definition of supervision.
- (i) Manner of recordkeeping under RSA 328-C:11.

(j) Except as provided in paragraph II, any other matter which is consistent with the legislative intent of this chapter and which is necessary to the administration of this chapter.

II. The board, in collaboration with the New Hampshire pharmacy board, shall adopt rules under RSA 541-A relative to the prescriptions to be issued by a physician assistant.

Amendment adopted. Ordered to Third Reading.

HB 616-FN, relative to the public utilities commission.

Ought to Pass with Amendment. Senator Johnson for the committee.

SENATOR JOHNSON: The amendment to HB 616-FN is on page 14. The amendment adds the words "select the attorneys employed by the commissioner". We are talking about the functioning of the public utilities commission and specifically the part having to do with their duties and the amendment adds, in addition to selection of department heads, it selects the attorneys employed by the commissioners and that was language that was agreed upon by the commissioners, but somehow or another got lost in the final draft of the bill. The bill itself includes other changes having to do with the functioning of the public utilities commission. It establishes the chairman as the administrative head of the commission and will hopefully allow that commission to function a little bit more smoothly from an ad-

ministrative point of view. It also has some other provisions in there having to do with municipal water and sewer utilities and allows the municipality to go outside its boundaries without coming under the jurisdiction of the PUC if they are not increasing the rates being charged. It essentially covers and protects the existing contracts and I think that will benefit the rate payers of the water districts and other water utilities in the state.

Amendment to HB 616-FN

Amend the bill by replacing section 4 with the following:

4 New Section; Commissioners' Duties. Amend RSA 363 by inserting after section 4 the following new section:

363:4-a Commissioners, Duties. The commissioners shall, by majority action, establish the budgetary requirements of the agency, act on the selection of department heads, select the attorneys employed by the commissioner, and establish practices and procedures of the agency.

Amendment adopted. Ordered to Third Reading.

HB 19, regarding the use of the hazardous waste cleanup fund.
Ought to Pass. Senator Torr for the committee.

SENATOR TORR: HB 19 permits funds in the hazardous waste fund to be used for enforcement costs, in addition to the administrative costs currently covered, up to the amount of \$225,000.

Adopted. Ordered to Third Reading.

HB 57-FN-A, appropriating funds to the department of agriculture to continue work on the Eastern States Building.
Ought to Pass. Senator Blaisdell for the committee.

SENATOR BLAISDELL: HB 57 appropriates \$22,000 in fiscal year 1990 and \$42,000 in 1991 from the general fund to do electrical and roof repair at the Eastern States Building in Springfield. We feel that the image of the State of New Hampshire is more important. We feel that that money is well spent down there and as Senator Torr said in the committee when we execed this bill out "you have to fix the roof because otherwise the buildings go to pot". So what we are saying is that Senate Finance moves the bill as Ought to Pass.

Adopted. Ordered to Third Reading.

HB 115-FN, reducing to a violation the misdemeanor offense of driving after revocation or suspension when it is a first offense and unrelated to DWI or reckless driving.

Ought to Pass. Senator Dupont for the committee.

SENATOR DUPONT: HB 115 basically changes the conviction of driving after revocation down to a misdemeanor if it does not involve a DWI offense as the reason for revocation. Basically what is happening under present law, a misdemeanor you can serve up to seven days to a year in jail and up to a \$1000 fine. Because we are required to provide indigent defense services to anyone that has the possibility of being incarcerated, this was brought forward as one of the ways to help control indigent defense costs. The fine would still be in place, but there would be no jail time. I want to make it clear that this does not apply if the issue of DWI is in the past history of the person who is found guilty of driving after revocation.

Adopted. Ordered to Third Reading.

HB 147-FN, relative to commercial driver licensing.
Ought to Pass with Amendment. Senator Dupont for the committee.

SENATOR DUPONT: Federal law has mandated that by 1992 we comply with the new licensing program that is going to involve the relicensing of all presently licensed commercial drivers and new drivers up to federal standards. This bill puts into place the implementation of that program, provides for the acceptance of federal money and raises some fees on commercial driver's licenses.

SENATOR NELSON: I just had one question for you because this group came before the rules committee and at that time they made the rules for commercial driver's licenses, so he obviously already has rulemaking authority and I was just interested in that aspect of it, Senator Dupont.

SENATOR DUPONT: It just clarifies, I guess, the rulemaking authority and tries to put into place the program and as I indicated there is a fee increase in that that is required to help pay for that program. Commercial licenses will go from \$20 to \$40.

Amendment to HB 147-FN

Amend paragraph II of section 27 of the bill by replacing it with the following:

II. For the purposes of adopting the initial rules required under RSA 263:98 as inserted by this act, the commissioner of safety shall be authorized to adopt emergency rules as provided in RSA 541-A:3-g on or after the effective date of this section.

Amendment adopted. Ordered to Third Reading.

HB 279-FN-A, relative to the purchase of the Ralph Brown property in Rye and making an appropriation therefor.

Ought to Pass. Senator Torr for the committee.

SENATOR TORR: When the State Land Conservation Investment program purchased some 65 acres, the state was given the first refusal to purchase the land and building across the street. LCIF funds cannot be used to purchase buildings. HB 279 appropriates \$1.00 from the general fund and provides the necessary legislation for DRED to accept private donations towards this acquisition.

Adopted. Ordered to Third Reading.

HB 651-FN, relative to adoption fees and information about birthparents.

Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 651 requires that persons seeking to adopt must file information with the court about the fees of adoption and also information on medical and personal backgrounds of the birthparents and the child. The registrar of probate must supply monthly summaries to DCYS and DCYS has told us that it will cost the Division about \$12,000 annually to supply these forms and analyze this information to publish the report. There is no appropriation in the bill, but the Division could probably find the \$12,000 in the budget. So the committee recommends Ought to Pass without the appropriation.

SENATOR JOHNSON: Senator Podles, will this bill make it any easier for people to adopt children in New Hampshire?

SENATOR PODLES: No, it will not make it easier.

SENATOR JOHNSON: Will it make it any harder?

SENATOR PODLES: No, it will not make it any harder. All it does is what they would like to know is what you are paying as fees to adopt a child.

Adopted. Ordered to Third Reading.

HB 755-FN, establishing a committee to study shoreline protection. Ought to Pass. Senator Torr for the committee.

SENATOR TORR: HB 755 establishes a study committee to develop and recommend legislation for a comprehensive shoreline protection act, including minimum standards for the development. This is one of Governor Gregg's prime choices of legislation to occur in 1991.

Adopted. Ordered to Third Reading.

HB 763, authorizing the Salem and Derry school districts to establish a debt retirement fund.

Ought to Pass. Senator Delahunt for the committee.

SENATOR DELAHUNTY: This bill authorizes the Salem and Derry school districts to create debt retirement funds to be used to pay off indebtedness incurred as a result of the construction and renovation of and additions to the school buildings. The funds are to be funded by proceeds from the sale of school property. At a public hearing where the towns of Salem and Derry were represented the committee heard only testimony in favor of the bill. The bill would allow these two districts to deposit the proceeds of the sale of any school district properties into a debt retirement account. The balance of this account would only be used to retire new debt related to the construction and renovation of and additions to the school buildings.

Adopted. Ordered to Third Reading.

HB 113-FN, to define certain police trainers as permanent policemen for retirement system purposes.

Ought to Pass. Senator Magee for the committee.

SENATOR MAGEE: This bill has been in several sessions. Last session it passed both the House and the Senate and was vetoed by the Governor. The problem has come with the definition of a group II employee and that definition is basically that a full-time police officer in the employ of a police department is a group II person. The Police Academy needs the best that they can get for the training of their own officers and most well-qualified and well-trained police officers in the State of New Hampshire do not want to break their years of service and do work with the academy and then try and go back after breaking those years of service and try and get reinstated into group II. This is needed also as a recruitment tool. It is a very tightly written bill that affects a very few people. The important thing is the bill itself is not retroactive and there is money in the retirement system to accomplish this.

Adopted. Ordered to Third Reading.

HB 433-FN-A, relative to a pool for environmental liability insurance and making an appropriation therefor.

Ought to Pass with Amendment. Senator Magee for the committee.

SENATOR MAGEE: This is the result of a study committee composed of all the people affected, the Insurance Commissioner, cities and towns, business people, BIA, engineers, etc. The study committee found that there was very little insurance being written for this purpose and what was being written was very costly. The federal government is going to be imposing new restrictions that will affect even your local hardware store. It was the decision of the study committee that New Hampshire should form an environmental liability insurance pool somewhat similar to the JUA which is the medical malpractice insurance fund to be able to offer insurance under tightly controlled circumstances to basically the good guys. The original bill asked for \$122,500 however, Commissioner Bergeron says that there is \$28,000 left from the original study committee that could be pooled into this area and therefore the bill only requests \$95,000. It is just the start up costs and the money would be reimbursed to the state as the insurance is purchased by the consumers.

Amendment to HB 433-FN-A

Amend RSA 404-E:2, I and II as inserted by section 1 of the bill by replacing them with the following:

I. There is established an environmental risk insurance pool implementation board, to be composed of the following members:

(a) The commissioner of the insurance department, or his designee.

(b) One representative of a New Hampshire business association, appointed by the governor.

(c) One member of the New Hampshire Municipal Association, appointed by the governor.

(d) The state treasurer, or his designee.

(e) One licensed Chartered Property Casualty Underwriter, appointed by the insurance commissioner.

(f) One member of the house of representatives, appointed by the speaker of the house.

(g) One member of the senate, appointed by the senate president.

(h) One member of the general public, appointed by the governor with the consent of council.

(i) One member from the New Hampshire Bar Association to serve in a non-voting capacity, appointed by the governor.

II. The insurance commissioner shall call and chair the organizational meeting of the board within 30 days of the effective date of this act. The board shall select a chairman from among its members at its organizational meeting.

Amendment adopted. Referred to Finance (Rule #24)

HB 594-FN, to reinstate medical and surgical benefits for certain retired employees.

Ought to Pass with Amendment. Senator Delahunt for the committee.

SENATOR DELAHUNTY: This bill reinstates the group hospitalization, hospital medical care, surgical care and other medical and surgical benefits which retired employees and their spouses were receiving under RSA 21-1 as that section was interpreted by the New Hampshire Retirement system prior to December 1, 1988. This provision does not apply to state employees and their spouses or beneficiaries who retired after December 1. This bill deals with two separate areas. Section 1 deals with 174 retired employees, 54 of whom are single parents with children and 120 are married with children. Prior to the retirement of these 174 people, the state offered them an option of maintaining their Blue Cross/Blue Shield for themselves and their dependents. These 174 people exercised that option. When the retirement system was audited by LBA, it was determined that this was not the literal interpretation of the law. These people have been paying \$93.93 per month if a single parent or \$65.75 if they were a family for this option. With the passage of this bill, the state will uphold the contractual agreement and arrangement that they had with these particular people. It will cost \$155,000 per year and the retirement system has the money. It is not retroactive. It is terminally funded which means that when the dependents reach age 18 and don't go on to further education, or age 25 if they do, this will no longer be in effect. The option is no longer offered to retirees. The bill does not offer it to future retirees. Section 2 of the bill deals with enlarging a window that we offered to retirees of political subdivisions in a prior session. We allowed any retiree of a political subdivision, namely cities, towns and teachers, the opportunity to use the group rate to purchase Blue Cross/Blue Shield of their own once they retired. From the response, it would appear there was a communication problem. We will give them two years in which to sign up not the one month we originally gave them. It will cost the state nothing. They will have to pay for this opportunity themselves and there is a cut off after two years.

SENATOR HEATH: Senator, does this mean every time that somebody makes a mistake like this we are going to finance it and does that mean that we are encouraging them to do these kinds of things?

SENATOR DELAHUNTY: Senator, I think that is a matter of interpretation. I can only tell you from circumstances that were explained to me in funding the thing and have done so for a number of years and some of these people are locked into a situation where they have retired and have dependent children and really do not have the necessary means to buy this insurance and I think it is awfully important to them and I think it is our obligation to maintain that.

SENATOR HEATH: But Senator, haven't they already received many years of this benefit by this mistake and isn't that sufficient rather than carrying this mistake forward in a year when we are running out of funds to fund things that we ought to be funding?

SENATOR DELAHUNTY: Senator I agree with you that maybe this has gone on, but it wasn't their mistake and I am not entirely sure that they were aware that they were receiving benefits that they were not entitled to. We gave them the benefit and we continued it and I think we have obligation to continue that until the dependent reaches 18 or 25 when it ends. But I don't think we necessarily have to do this any more, but it was our mistake and not the employees' and I don't think they, as far as I know, were aware of the situation being what it was.

SENATOR HEATH: Senator, haven't they already done very well under this and if we stopped and if this bill failed they have already gained benefit and they do not have to pay it back?

SENATOR DELAHUNTY: Well, Senator, it may be true that they received a payment that wasn't intended, but we put them in that position. And when we put them in that position and they retire on that basis, it is expenses we set up and it wasn't of their own doing or maybe they wouldn't have retired and we can't give them the option to come back. It is a cost that they would have to incur that maybe they can't afford that we set up and I think that we are wrong.

SENATOR CHARBONNEAU: On this \$155,000, does this come out of the general, the special, what fund does this come out of?

SENATOR DELAHUNTY: The fiscal impact says that it comes out of the retirement fund.

SENATOR CHARBONNEAU: Does any of this come out of the general fund?

SENATOR DELAHUNTY: In the fiscal impact statement that I have, Senator, says that the New Hampshire Retirement System indicates that this will have no fiscal impact on state, county, local revenues or expenditures.

Amendment to HB 594-FN

Amend the title of the bill by replacing it with the following:

AN ACT

to reinstate medical and surgical benefits for certain retired employees and relative to health care coverage for retired employees of political subdivisions.

Amend the bill by replacing section 2 with the following:

2 Group Reopened. Amend RSA 100-A:50, I to read as follows:

I. Every political subdivision of the state that provides for its active employees any group medical insurance or group health care plan, including but not limited to hospitalization, hospital medical care, surgical care, dental care, or other group medical or health care plan, shall permit its employees upon retirement to continue to participate in the same medical insurance or health care group or plan as its active employees. Coverage for spouses, other family members and beneficiaries of retirees shall also be permitted to the extent that coverage is provided for the spouses, other family members and beneficiaries of active employees. Present retirees not covered shall be permitted to rejoin the active employee health insurance or health care group [whenever this is permitted by the insurer.] **Persons retired prior to July 1, 1988, shall be given the opportunity to rejoin the group during a 2-year period, beginning on July 1, 1989, and ending on July 1, 1991. Such persons shall continue to participate in the same coverage as active employees without any benefit-waiting period.**

3 Effective Date. This act shall take affect July 1, 1989.

AMENDED ANALYSIS

This bill reinstates the group hospitalization, hospital medical care, surgical care, and other medical and surgical benefits which retired employees and their spouses or beneficiaries were receiving under RSA 21-I:26, as that section was interpreted by the New

Hampshire retirement system prior to December 1, 1988. This provision does not apply to state employees and their spouses or beneficiaries who retired after December 1, 1988.

This bill also permits retirees not covered by medical benefits under RSA 100-A:50 to rejoin the active health care group during a 2-year period.

Amendment adopted. Ordered to Third Reading.

HB 737-FN, amending the joint state-capitol city planning commission.

Ought to Pass. Senator St. Jean for the committee.

SENATOR ST. JEAN: This adds a member to the joint state-capitol city planning commission from the Concord area. It used to be just Concord, now it is the surrounding towns. This committee hopefully will deal with things like the legislative parking garage and other problems confronting the capitol city.

Adopted. Ordered to Third Reading.

HB 262-FN, extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a joint oversight committee and related committees to study issues regarding children.

Ought to Pass with Amendment. Senator Podles for the committee.

SENATOR PODLES: HB 262 extends the reporting date for the committee to study the juvenile justice system from May 1, 1989 to December 31, 1989. The amendment strikes out everything after section 1 of the bill and the amendment establishes a nine member committee to study the issues of placement and services provided through the Division for Children and Youth Services and diversion programs which are subsidized with state funds. The committee recommends Ought to Pass with Amendment.

Amendment to HB 262-FN

Amend the title of the bill by replacing it with the following:

AN ACT

extending the reporting date for the committee to study the
juvenile justice system and juvenile delinquency and
establishing a DCYS placement services and
diversion study committee.

Amend the bill by replacing all after section 1 with the following:

2 DCYS Placement, Services and Diversion Study Committee Established. There is hereby established a committee to study the issues of placement and services provided through the division for children and youth services and diversion programs subsidized with state funds. The placement, services and diversion study committee shall consist of 9 members. The house member shall convene the first meeting. The committee shall elect a chairman and vice-chairman. Members shall be as follows:

I. One member of the house appointed by the speaker:

II. One member of the senate appointed by the senate president.

III. The director of the division for children and youth services or designee.

IV. One member of the judiciary appointed by the governor:

V. A juvenile officer of a city or town police department appointed by the governor.

VI. A county commissioner appointed by the governor.

VII. A representative of a local education agency appointed by the governor.

VIII. A provider of placement services appointed by the governor.

IX. A public member appointed by the governor.

3 Committee; Duties. The committee shall:

I. Evaluate division for children and youth services caseload and cost data.

II. Evaluate existing programs and out-of-home residential opportunities for access, quality, appropriateness, costs and availability.

III. Evaluate administrative and supervisory procedures and caseloads for the services provided by juvenile service officers.

IV. Evaluate procedures to implement placement statutes.

V. Evaluate diversion programs for their cost and effectiveness in preventing recidivism for youths in the juvenile justice system or youths who are at high risk of entry into the juvenile justice system.

VI. Develop a definition for diversion programs to be subsidized with state funds and consider requiring matching funds for state funding allocations.

4 Committee; Staff Support; Report. Secretarial and staff assistance shall be provided by the division for children and youth services. The committee shall prepare a report describing its determinations and recommendations. Copies of this report shall be delivered to the governor, the speaker of the house of representatives, and the president of the senate on or before December 31, 1990.

5 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill extends the reporting date for the committee to study the juvenile justice system from May 1, 1989, to December 31, 1989.

This bill establishes a committee to study division for children and youth services placement, services' and diversion programs. Amendment adopted. Ordered to Third Reading.

HB 487, relative to grandparents' rights.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill expands the visitation rights from parents to include grandparents. There are, however, protections put in place by the amendment that would prevent grandparents from getting access to grandchildren if they had been previously restricted for any reason prior to making this petition for visitation rights. The amendment also requires that all the costs arising out of the petition be paid for by the petitioner. The committee urges that the Senate adopt the committee motion of Ought to Pass with Amendment.

Senator Podles moved to lay HB 487 on the table.

Adopted.

HB 571-FN, establishing standards for mediators.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill establishes standards for mediators. At the current time there really are no standards. The committee spent quite a bit of time trying to perfect the standards so that they would create a balance between what kind of training would create a good marital mediator and what would create a situation where you would have a lot of mediators who were trying to circumvent the standards and not be certified. This is not a licensure bill. This is not going to cost money. And it does create adequate protection for the people for whom the mediation is occurring. We urge that the Senate adopt the committee report of Ought to Pass with Amendment.

Amendment to HB 571-FN

Amend RSA 328-C:5, I as inserted by section 1 of the bill by replacing it with the following:

I. Satisfactory completion of a program of instruction approved by the board and at least 48 hours in length, including at least 8 hours in domestic violence, and components in family dynamics and relevant law.

Amend RSA 328-C:9, III (b)-(d) as inserted by section 1 of the bill by replacing them with the following:

(b) A party is alleged to have made during marital mediation a material mis-statement of fact, which would have constituted perjury if made under oath.

(c) The marital mediator has received material information confirming or proving abuse or sexual abuse or neglect as defined by RSA 169-C or RSA 173-B.

(d) The marital mediator has received information about a felony or misdemeanor, excepting adultery, that has been or is about to be committed.

Amend the bill by replacing section 4 with the following:

4 Effective Date.

I. Section 3 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect January 1, 1990.

Amendment adopted. Ordered to Third Reading.

HB 584, relative to bad checks.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill removes from the section on bad checks, bounced checks that are written for less than \$500, the knowingly clause. But it substitutes in its place a protection for individuals who pass bad checks if they intentionally have the bank issue a stop payment order or if there is some problem at the bank. This will make it easier for merchants to pursue chronic bad check writers, but it does provide protection for the consumer to make the check good within a fourteen day period. We urge the Senate to adopt the committee motion of Ought to Pass as Amended.

Amendment to HB 584-FN

Amend the bill by replacing section 1 with the following:

1 Intent Deleted. Amend RSA 638:4, I to read as follows:

I. A person is guilty of issuing a bad check if he issues or passes a check for the payment of money [knowing or believing that it will not be paid by the drawee] and payment is refused by the drawee; **except in cases where a legal stop payment order has been issued or where the drawee refuses payment for any other reason through no fault of the person who issued or passed the check.**

Amendment adopted. Ordered to Third Reading.

HB 609-FN, relative to jury selection procedures.

Ought to Pass. Senator Bass for the committee.

SENATOR BASS: This bill orders the Superior Court to conduct a study which would be ready by the end of this year to determine whether or not there are alternatives to jury selection procedures that might be pursued and enacted which would make jury selection more equitable and fairer and less burdensome to the people who are selected for juries. We urge that the Senate adopt the committee motion of Ought to Pass.

SENATOR HEATH: A number of years ago, a U.S. Supreme Court ruling came down and basically said that it has to be a random system and that very few excuses would be given because it is very important in arriving at justice that we have a jury of our peers. What new concepts have since entered the picture that there is any room for change?

SENATOR BASS: Currently, Senator Heath, juries are selected on the basis of the voter registration lists only. Obviously if you wanted to get out of jury duty, you remove your registration for voting. A lot of states are considering using a random selection of voter registrations and drivers' licenses to expand the size of the list and it is thought that the New Hampshire Superior Court system could look at that system. It doesn't mean that they have to, but we might be able to expand that list and make it a little fairer.

SENATOR HEATH: The Courts can do that already. We need legislation for that?

SENATOR BASS: The court could do it already, but they don't have to and it was the feeling of the committee that it might be a good idea if we found out whether or not this option would work in New Hampshire. We have no way of knowing at this point. I think conceivably, Senator Heath, the court could come back and say that we don't think this is a good idea and that would be the end of the report.

Adopted. Ordered to Third Reading.

HB 658-FN, establishing a committee to study the laws relative to depositions.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill establishes a committee to study laws pertaining to depositions and the committee has to prepare a report on its findings and recommendations to be presented to the Speaker of the House. The amendment, basically, is technical, but allows for the rules concerning admissibility of evidence similar to criminal

proceedings not to apply to presentation for consideration of information at the hearing. The committee urges the Senate adopt the committee report of Ought to Pass as Amended.

Amendment to HB 658-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to hearings on transfers to the superior court
of cases where the alleged offender is a juvenile.

Amend the bill by replacing all after the enacting clause with the following:

1 Transfers to Superior Court. Amend the unnumbered concluding paragraph of RSA 169-B:24 to read as follows:

The rules concerning admissibility of evidence in civil and criminal proceedings do not apply to the presentation and consideration of information at the hearing. The minor is entitled to the assistance of counsel, who shall have access to said court records, probation reports or other agency reports. If the court orders transfer to superior court, it shall provide a written statement of findings and reasons for such transfer to the minor. Cases so certified and accepted by the superior court may be disposed of by the superior court according to the laws of this state relating thereto without any limitations as to sentence or orders required by this chapter. All original papers in transferred cases shall remain in the court from which transferred and certified copies of the same shall be filed with and shall constitute the records of the court to which transfer is made. Pending disposition by the superior court, a juvenile whose case is thus transferred and accepted by the superior court may be placed under the supervision of the juvenile services officer or required to recognize with sufficient sureties, or in default thereof, be detained at a county correctional facility to await disposition of the case in said superior court; provided, however, once a minor is certified for trial as an adult and his case is transferred to the superior court, detention at the youth development center is prohibited.

2 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill makes the rules on admissibility of evidence in civil and criminal proceedings inapplicable to hearings regarding transfers of cases to the superior court where the alleged offender is a juvenile. Amendment adopted. Ordered to Third Reading.

HB 677, relative to modification of child support guidelines.
Ought to Pass with Amendment. Senator Podles for the committee.

SENATOR PODLES: HB 677 makes changes to the child support guidelines and also to the formula used to determine the child support obligations. It provides that guidelines shall be applied in all child support cases and that the amount of support resulting from the application of these guidelines is the correct amount for child support. It also provides a formula whereby child support orders can be computed fairly and consistently and it considers the need of the child and also his lifestyle and the ability of the custodial, the obligor to meet his or her obligations and HB 677 is more equitable than the present law. It is a fair and a good compromise for both the custodial and the non-custodial parent and it keeps the direction focused on the child.

The amendment adds additional discretions for the court that they need not apply the guidelines in exceptional circumstances and it provides for a review of the guidelines and gives rulemaking authority to the Division. The amendment also provides for a study committee to study corporal punishment which already passed the Senate. The committee recommends Ought to Pass with Amendment.

Amendment to HB 677

Amend the title of the bill by replacing it with the following:

AN ACT

relative to modification of child support guidelines and
establishing a study committee to examine corporal
punishment in and the regulation of child
care agencies and schools.

Amend the bill by replacing all after section 6 with the following:

7 Natural and Adopted Children Added. Amend RSA 458-C:5, I(c) to read as follows:

(c) the economic consequences of the presence of **natural or adopted children or** stepparents or stepchildren;

8 New Section; Review of Guidelines. Amend RSA 458-C by inserting after section 5 the following new section:

458-C:6 Review of Guidelines. The division of human services, department of health and human services, shall review the guidelines provided under this chapter in order to determine whether application of such guidelines results in the determination of appropriate child support award amounts.

9 Applicability. Review of guidelines pursuant to section 8 of this act shall commence 6 months after its effective date and shall continue for 2 years. The study shall include a review of child support orders to determine the application by the judiciary and administrative hearings officers of the percentages and to determine exceptional circumstances and trends in the amounts of child support orders as a result of the implementation of the guidelines. The judiciary shall cooperate with the review by providing any necessary information to the division of human services. Upon completion of the review, the division of human services shall make a report to the president of the senate, the speaker of the house and the governor. Upon completion of this initial review, the guidelines shall thereafter be reviewed every 4 years.

10 Rulemaking. The division of human services, department of health and human services, shall adopt rules, pursuant to RSA 541-A and with the advice of the superior court, allowing for an information and application packet providing the following information relative to seeking modification of child support orders:

I. Requirements for application.

II. Application procedures.

III. Any other necessary information, including information on distribution of the information and application packet.

11 Committee Established; Duties. There is established a study committee to examine the issue of corporal punishment and the licensing and regulation of private kindergartens and nursery schools in the state. The duties of the committee shall be:

I. To study various state laws on corporal punishment.

II. To recommend coordinated administrative guidelines for regulating corporal punishment.

III. To recommend enforcement procedures and penalties for violations of guidelines recommended under paragraph II.

IV. To recommend procedures for licensing and regulating public and private nursery schools.

V. To recommend procedures for cooperation among all agencies involved in the approval and licensing of public and private preschool programs for handicapped and non-handicapped students.

VI. To identify resources needed to carry out recommendations made pursuant to this act.

12 Membership. The membership of the committee shall be:

I. Four members from the department of education, appointed by the commissioner of education.

II. Three members from the department of health and human services, appointed by the commissioner of health and human services.

III. Two members representing the interest of private schools of religious affiliation, appointed by the state board of education.

IV. One member from a nonpublic school advisory council, appointed by the state board of education.

13 Meetings; Chair. The first meeting of the committee shall be called by the commissioner of education or designee and shall take place within 30 days after the effective date of this act. The chair of the committee shall be chosen by a majority vote of the members at the first meeting.

14 Report. The committee shall make a report of its findings and recommendations, including any proposed legislation, to the speaker of the house, the president of the senate, and the governor, on or before October 1, 1989.

15 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill makes changes in laws relative to child support guidelines, including determining the total support obligation of parents of the child through a formula and creating a rebuttable presumption that the amount of support resulting from application of the child support guidelines is the correct amount of child support.

This bill also establishes a study committee to examine the issue of corporal punishment and the licensing and regulation of private kindergartens and nursery schools in the state.

Amendment adopted. Ordered to Third Reading.

HB 752-FN, relative to domestic violence.

Ought to Pass. Senator Podles for the committee.

SENATOR PODLES: HB 752 puts more teeth into protective orders in domestic violence cases. This law currently enables domestic violence victims who are married, formerly married, or who are or have co-habited with their abusers to get protective orders from the district court or the superior court. HB 752 would expand those to include acts between current or former sexual or intimate partners and people who are in some stage of a dating relationship. It also specifies that willful violation of the court order is a crime and it mandates arrest for violations. It also requires court orders to be promptly served on the defendant by a peace officer and finally, the bill clarifies that someone violating a restraining order may be found in either criminal or civil contempt of court. The committee recommends Ought to Pass.

Adopted. Ordered to Third Reading.

Senator Preston moved to remove HB 238 from the table.
Adopted.

Senator Preston moved to substitute Ought to Pass for Inexpedient to Legislate.
Adopted.

Senator Preston offered a floor amendment.

SENATOR PRESTON: The amendment presented corrects the concerns on the bill. Essentially it allows people while they are competent to nominate their guardian in case of future incapacity. It is very clear that the nomination is done, the filling out of the document in the presence of a notary public or justice of the peace indicating the person so nominated appointed these persons. It allows the person who is healthy and competent to appoint those people that they want as their guardians in case they are incapacitated in the future.

Floor Amendment to HB 238

Amend RSA 464-A:10, II as inserted by section 1 of the bill by replacing it with the following:

II. Any competent adult may nominate one or more persons to be guardian of his person or his estate, or both his person and his estate, and one or more substitutes in case of a nominee's inability to serve by a written instrument, executed in accordance with the requirements of RSA 477:9, and may name in such instrument any persons, other than a public guardianship and protection program, he wishes to exclude from consideration as guardian. Such nomination and exclusion shall continue until revoked, shall be effective for both ordinary guardianships and temporary guardianships under RSA 464-A:12, and shall survive the subsequent mental or physical disability or incompetence of the signer. A person nominated as guardian who is otherwise legally qualified and willing to serve shall be appointed unless the court finds as a fact that such person would not be able to carry out the reasonably foreseeable duties of a guardian in the particular circumstances. Under no circumstances shall the court appoint as guardian a person excluded from consideration by name in the instrument. This paragraph shall be construed to create a rebuttable presumption that the person nominated as guardian shall be so appointed. This paragraph shall not be construed to limit the ability of the court to remove any guardian appointed under this paragraph.

AMENDED ANALYSIS

This bill permits any competent adult to nominate a person to be a guardian of his person or his estate, or both, in case of his future incapacity. In the same instrument nominating a guardian, he may name persons he wishes to exclude from consideration as guardian.

This bill creates a presumption, which may be rebutted, that the person nominated as guardian shall be appointed and does not bind the court to the appointment of said person.

Amendment adopted. Ordered to Third Reading.

HB 24-FN-A, relative to the bicentennial commission.
Ought to Pass. Senator Johnson for the committee.

SENATOR JOHNSON: HB 24 extends the New Hampshire bicentennial commission to December 31, 1991 and it also authorizes the commission to expend the unexpended balance that they now have.

Adopted. Ordered to Third Reading.

HB 213-FN, relative to water tests for private wells.
Interim Study. Senator King for the committee.

SENATOR KING: HB 213-FN has to do with the testing of private wells prior to the sale of real estate. It is an issue that is seen by the committee as being extremely important, but it is also a very highly complex matter and we just felt that we were not prepared to bring this out with a positive recommendation at this moment. It needed some more work and therefore we wanted to refer it to Interim Study and will work on it over the summer.

Adopted.

HB 562-FN, making technical changes in the election laws.
Re-Referred. Senator Bass for the committee.

SENATOR BASS: This bill makes a whole series of minor changes in election laws to make the process of voter registration, posting of lists, etc. a little bit more easy and a little bit more up to date with the ways cities and towns are run nowadays. The problem is that the House made certain amendments that put the bill into conflict with other parts of the election laws. We really didn't have the wherewithal to make these changes in a timely fashion so, as a result, we wish to re-refer this bill so that it can be done properly. We urge the Senate's support of that motion.

Adopted.

HB 590-FN, relative to submitting municipal financial reports to the department of revenue administration.

Ought to Pass. Senator King for the committee.

SENATOR KING: HB 590 merely makes a few housekeeping changes in the dates for reporting various financial forms from the cities, towns and school districts to the Department of Revenue Administration.

Adopted. Ordered to Third Reading.

Senator Johnson moved that HB 644 be removed from the table.

Adopted.

Senator Johnson moved substitute motion of Ought to Pass for Inexpedient to Legislate.

Adopted.

Senator Johnson offered a floor amendment.

SENATOR JOHNSON: The floor amendment removes from HB 644-FN two provisions which were either inappropriate or unnecessary having to do with eliminating the ninety day requirement. That has now been taken out of this bill. The second part that was in the bill that did not need to be in there, because it was already included in another bill, had to do with the veteran's exemption increase from \$50 to \$100. So what you now have, the floor amendment now becomes HB 644 and all that does now is allow municipalities the option of adding or granting this veterans exemption for those veterans who served in the Granada operation, the Libya operation, the United Nations in the Belgian Congo and also for Lebanon. That service will allow them to be eligible for the Armed Forces Expeditionary Medal. It is a minor improvement in the life of the veterans of New Hampshire.

SENATOR PRESTON: I would just like to publicly thank Senator Johnson for allowing that to go on the table and bringing it back off. This does address veterans in various circumstances that we had overlooked and it is a very important bill to recognize some of the servicemen whose benefits have been cut in a lot of areas. I thank you, Senator.

Floor Amendment to HB 644-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the optional veterans' exemption.

Amend the bill by replacing section 1 with the following:

1 Qualifying War or Armed Conflict. Amend RSA 72:28, VI(h) to read as follows:

(h) "Viet Nam Conflict" between July 1, 1958 and December 22, 1961, if the resident earned the Viet Nam service medal or the armed forces expeditionary medal[.];

(i) Any other war or armed conflict that has occurred since May 8, 1975, and in which the resident earned an armed forces expeditionary medal.

AMENDED ANALYSIS

This bill expands what constitutes service in a war or armed conflict for purposes of qualifying for the optional veterans' exemption. Amendment adopted. Ordered to Third Reading.

HB 386-FN-A, relative to improving the financial status of impoverished children.

Ought to Pass with Amendment. Senator Krasker for the committee.

SENATOR KRASKER: HB 386 establishes an emergency assistance program for needy households with a child, giving priority to the prevention of homelessness or unsafe or unhealthy living conditions. It also maintains the discretionary authority to operate a special needs program for adult recipients of state assistance. Under HB 386, the emergency assistance program will be limited to providing families with the minimum assistance necessary to obtain or retain safe and healthy housing. It calls for a general fund appropriation of \$100,000 for year of the biennium which is then matched by an equal amount of federal funds. The state funding is included within the House budget and I hope it is included within the Senate budget.

Amendment to HB 386-FN-A

Amend the bill by replacing section 1 with the following:

1 Mandatory Emergency Assistance. RSA 167:7, V is repealed and reenacted to read as follows:

V. Subject to applicable federal regulations and the provisions of this paragraph and subject to the amount of available funds in the budget of the division of human services, the director of the division

of human services shall establish criteria for and shall operate an emergency assistance program for needy households with a child and may establish criteria to operate a special needs program. The rules adopted by the director for the emergency assistance program pursuant to RSA 167:3-c, II-a may provide for eligibility criteria more liberal than those used for aid to families with dependent children and shall specify the emergency needs that will be met, giving priority to the prevention of homelessness or other unsafe or unhealthy living conditions.

AMENDED ANALYSIS

This bill requires the director of human services to establish an emergency assistance program for needy households with a child and permits the director of human services to establish criteria to operate a special needs program, subject to available amounts in the budget of the division of human services.

Amendment adopted. Referred to Finance (Rule #24)

HB 578-FN, relative to victims' assistance and compensation.
Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: The amendment to HB 578 will be found on page 19. This is a bill that has been before us in each of the last two sessions. It deals with victims assistance program and the funding would come from an additional one percent fee on fines. The House took the bill and changed it tremendously by taking out the fee on fines and used those fees on fines for other purposes and allotted \$75,000 which no where near touches the problem that this bill is intended to resolve. So we would urge that you support the committee amendment which puts the bill back in its original form and which we as a policy endorse.

Amendment to HB 578-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Victims' Assistance Fund. RSA 6:12, I(aa) is repealed and reenacted to read as follows:

(aa) The assessments collected under RSA 188-F:31 which shall be credited to the victims' assistance fund until that fund exceeds \$2,000,000, at which time moneys in excess of \$2,000,000 shall be credited to the police standards and training council training fund, as established in RSA 188-F:30.

2 New Sections; Victims' Assistance Program; Authorization, Administration and Functions. Amend RSA 21-M by inserting after section 8-e the following new sections:

21-M:8-f Victims' Assistance Program; Administration. There is established a victims' assistance program to be administered by the department of justice.

21-M:8-g Victims' Assistance Commission.

I. A victims' assistance commission is hereby established to review and award victims' claims for compensation. The attorney general shall nominate not fewer than 3 nor more than 5 persons to serve as members of this commission. Appointments shall be effective when the nominations are approved by the governor and council.

II. The commission may accept private donations and contributions to be used to compensate victims under RSA 21-M:8-h. Any money received by the commission pursuant to this paragraph shall be deposited to the account of the commission and shall not lapse.

III. The commission shall review claims from victims for compensation and make compensation awards from the victims' assistance fund and from private donations and contributions received under paragraph II.

21-M:8-h Claimant Eligibility; Compensation.

I. Victims of (a) a felony resulting in personal injury; or (b) injuries caused by persons driving under the influence of alcohol or controlled substances; are eligible for compensation. In case of the victim's death as a direct result of the crime, the victim's spouse, the parents of a victim who was a dependent child, or the victim's dependent children are eligible to claim compensation. In the case of a victim's disability as a direct result of the crime, the victim's spouse or guardian may claim compensation in the victim's stead.

II. The claimant shall file a claim for compensation within 60 days of the crime, unless good cause is shown.

III. A claimant shall not be deemed ineligible for compensation based solely upon failure to apprehend the offender, or based solely upon failure of the state to obtain a conviction against the offender, providing there is reasonable evidence to sustain the claim that a crime had been committed which resulted in injury to the victim.

IV. The commission may consider the finding of innocence or guilt of the alleged offender in arriving at their determination of eligibility of the claimant. In determining eligibility and the amount of compensation to be awarded, the commission shall consider the contributory fault of the victim in causing his injury. If compensation is paid to members of the accused's immediate family, or persons who reside with or who have maintained a continuous

relationship with the accused, the accused shall receive no benefit or enrichment as a result of payment of such compensation.

V. The claimant may be reimbursed for reasonable out-of-pocket expenses, medical expenses, expenses for non-medical remedial care and treatment rendered in accordance with a religious method of healing permitted under the laws of this state, funeral expenses, counseling expenses and lost wages directly resulting from the crime. No reimbursement shall be paid unless the claimant has incurred reimbursable expenses of at least \$100. There shall be a \$5,000 ceiling on recovery per claimant per incident. If expenses paid through the victims' assistance program fund are later covered by insurance settlements, civil suit settlements, or restitution, or through any other source, the claimant shall reimburse the fund for the amount of expenses recovered.

21-M:8-i Administration of Fund.

I. Subject to the availability of money in the victims' assistance fund, the attorney general shall make grants totaling not more than 55 percent of the victims' assistance fund, for the establishment and maintenance of victim assistance programs. The attorney general may, in awarding funds under this section, give preference to those counties not already served by a victim assistance program.

II. A victim assistance program is eligible to receive grants under this section if such program:

(a) is within the office of a county attorney; or

(b) is operated by a public agency or a private nonprofit organization or a combination of such agencies or organizations and provides services to victims of crime, and

(1) demonstrates a record of providing effective services to victims of crime and financial support from sources other than the fund; or

(2) substantial financial support from sources other than the fund.

III. A victim assistance program shall expend sums received under this section only for providing services to victims of crime.

IV. No more than 15 percent of the money in the victims' assistance fund shall be used by the attorney general for the costs of administration of the victims' assistance fund and the administrative costs of the victims' assistance commission.

V. The remainder of the money in the victims' assistance fund shall be used by the attorney general for the compensation of victims in accordance with RSA 21-M:8-h.

21-M:8-j Rulemaking. The attorney general shall adopt rules, pursuant to RSA 541-A, relative to:

I. The application procedure for victims' assistance claims.

II. The standards which the victims' assistance commission shall apply in making a determination on each claim.

III. The qualifications, nomination procedures, and terms for victims' assistance commission members.

IV. The reimbursement of funds awarded to persons compensated by the victims' assistance fund who later receive compensation for injuries or expenses from other sources.

V. Procedures for payment of compensation when paid to members of the accused's immediate family or persons who reside with or have maintained a continuous relationship with the accused, which will prevent the accused from receiving any benefit or enrichment from such compensation.

3 Additional Penalty Assessment. Amend RSA 188-F:31, I to read as follows:

I. Every court shall levy a penalty assessment of \$2 or 10 percent, whichever is greater, on each fine or penalty imposed by the court for a criminal offense, including any fine or penalty for a violation of RSA title XXI [or any municipal ordinance, except for a violation of a municipal ordinance relating to motor vehicles unlawfully left or parked]. This penalty assessment shall be designated for the police standards and training council training fund. In addition, the court shall levy a [2] 3 percent penalty assessment on each such fine or penalty which shall be designated for the victims' assistance fund. The total penalty assessment levied by the court under this paragraph shall be [12] 13 percent.

4 Repeal. RSA 21-M:8-e, relative to administration of the victims' assistance fund, is repealed.

5 Effective Date.

I. Sections 1 and 3 of this act shall take effect July 1, 1989.

II. The remainder of this act shall take effect January 1, 1990.

AMENDED ANALYSIS

This bill creates a victims' assistance program at the state level to be administered by the department of justice. The bill establishes a victims' assistance commission, with not more than 5 members to be appointed by the attorney general, to review claims and make compensation awards from a victims' assistance fund. The attorney general is granted the authority to make rules regarding the commission and compensation of victims.

The amount which may accumulate in the victims' assistance fund is increased and the amount of penalty assessment designated for the victims assistance fund is increased from 2 to 3 percent. There are to be no penalty assessments on fines or penalties for violations of municipal ordinances. When the fund exceeds \$2,000,000, moneys

in excess of \$2,000,000 shall be deposited in the police standards and training council training fund. Up to 55 percent of the fund shall be used by the attorney general to make grants to public and private victim assistance programs. Up to 15 percent may be used for administration costs. The remainder of the fund shall be used for compensation awards. The victims' assistance commission may also accept private donations and contributions to be used for compensation awards.

This bill makes eligible for compensation victims of felonies resulting in personal injury or victims of injuries caused by persons driving under the influence. If the victim dies as a result of the crime, the victim's relatives may claim compensation. The claimant may be reimbursed up to \$5,000 for reasonable out-of-pocket expenses, medical expenses, certain non-medical treatment expenses, funeral expenses, counseling expenses, and lost wages.

Amendment adopted. Referred to Finance (Rule #24)

NOTICE OF RECONSIDERATION

Senator Bond moved reconsideration of HB 546 relative to the water protection assistance program.

Adopted.

Senator Bond moved to lay HB 546 on the table.

Adopted.

COMMITTEE REPORTS

HB 103-FN, relative to motor vehicle laws.

Ought to Pass. Senator Preston for the committee.

SENATOR PRESTON: This bill is going to be sent down to finance, because, frankly, it refers to motor vehicle fee increases and also some truck and motor vehicle increases on the weights. And we have had some objections on what the fees would be, but the committee as a majority endorses the bill. The amendments that are forthcoming have been recommended by the Department of Safety, but it is a \$14 million increase in fees particularly pertaining to some trucks and motor vehicles.

SENATOR HEATH: Senator Preston, was the original recommendation that committee would look at the tarp requirement?

SENATOR PRESTON: Senator, I have a floor amendment that addresses just that.

SENATOR NELSON: I just wanted a little explanation on the floor amendment. Is that what you are talking about?

SENATOR PRESTON: Yes, and I will be presenting that as soon as we open it for further amendment.

SENATOR DISNARD: Would you believe that some us people out there represent the poor people who see you recommending this ought to pass increases drivers license fees, increases inspections by \$10. You want to increase the fishing license, the gasoline tax. When do we address the poor people?

SENATOR PRESTON: Senator Disnard, this bill came over from the House with recommended increases. And as a thinking Democrat I am glad you asked those questions. This will go down to Senate Finance for review. Our policies, however, we endorse as far as the body of the bill for safety. As far as the financial aspects of it, it will get final review in Senate Finance and on this floor once again you will have the opportunity to have your say.

SENATOR BASS: Senator Preston, I have a question regarding the content of the bill. I notice on the third page from the end it says at the bottom that if you are carrying a vehicle to the junk yard, towing it, you have got to cover it with a tarp completely. What is the reason for that?

SENATOR PRESTON: I am going to address that at the appropriate time that will remove that from this bill.

Senator Preston offered a floor amendment.

SENATOR PRESTON: This floor amendment is a lot more complicated, I think, than it appears to be. It amends that section that Senators Bass and Heath had referred to on the third to last page that would have required a tarp to cover those transporters of crushed junk vehicles. That is an impossible request to make and almost everyone testifying at the hearing including the Department of Safety concurred with that. The others are three more convictions for these various motor vehicle offenses are used in the point system as it affects those who loose their license. There is a combination of points up to twelve, a combination of three offenses in one category and one in another that could result in loss of license. Very complex, but the Department of Safety needed it to evaluate those safe drivers and those who will not hold licenses in this state.

Floor Amendment to HB 103-FN

Amend the bill by replacing section 25 with the following:

25 Habitual Offender; Driving Without a License Offense. RSA 259:39, I and II are repealed and reenacted to read as follows:

I. Three or more convictions, singularly or in combination, of the following offenses:

- (a) Conviction of any offense specified in RSA 261:73;
- (b) Conviction of any offense specified in RSA 262:1, I;
- (c) Conviction of any offense specified in RSA 262:8;
- (d) Conviction of any offense specified in RSA 262:12;
- (e) Conviction of any offense specified in RSA 262:13;
- (f) Conviction of any offense specified in RSA 263:12, V;
- (g) Conviction of any offense specified in RSA 263:64;
- (h) Conviction of any offense specified in RSA 264:25;
- (i) Conviction of any offense specified in RSA 265:4;
- (j) Conviction of any offense specified in RSA 265:79;
- (k) Conviction of any offense specified in RSA 265:82;
- (l) Conviction of any offense specified in RSA 265:82-a;
- (m) Conviction under RSA 630:2 of manslaughter resulting from the operation of a motor vehicle;
- (n) Conviction under RSA 630:3 of negligent homicide resulting from the operation of a motor vehicle;
- (o) Conviction of any felony in which a motor vehicle is used.

II. Twelve or more convictions, singularly or in combination, of the following offenses:

- (a) Conviction of any offense specified in RSA 265:22.
- (b) Conviction of any offense specified in RSA 265:60.
- (c) Conviction of any offense specified in RSA 263:1.
- (d) Conviction of any offense specified in RSA 263:63.

AMENDED ANALYSIS

This bill was requested by the department of safety. The bill makes the following changes in the motor vehicle statutes:

(1) Specifies when motorcycles and antique cars are to be inspected.

(2) Increases driver license fees from \$20 to \$30.

(3) Increases the annual fee paid by inspection stations from \$15 to \$25.

(4) Increases title and salvage certificate of title fees.

(5) Allows the holder of a motorcycle learner's permit to drive a motorcycle on any way between sunrise and sunset.

(6) Allows an inspection sticker to be valid for the same period for which the car can be registered, up to 16 months.

(7) Allows only one 20-day registration for a car purchased out-of-state to be issued during any one calendar year.

(8) Requires wholesale dealers to provide a bond or equivalent proof of financial responsibility.

(9) Authorizes the revocation of dealer bond appointments for good cause.

(10) Amends the information required for a certificate of title and the information which must be included in duplicate certificates.

(11) Exempts implements of animal husbandry from permit and registration requirements.

(12) Amends certain time requirements for reporting accidents and beginning adjudicative proceedings.

(13) Repeals required reports on motor fuel delivered for use in boats.

(14) Adds additional provisions to the offense of being a habitual offender.

Amendment adopted. Ordered to Third Reading.

Senator Bond moved to remove HB 129 from the table.

Adopted.

SENATOR BOND: HB 129 establishes four additional positions in the Division of Water Supply and Pollution Control. In fact those positions are already funded federal positions and the federal funding expires on July 1. By establishing fees for reviewing plans for dredge and fill, and performing other activities, the Division of Water Supply will be able to fund these. You will find the breakdown under the fiscal note on the back page. We have reviewed this with Charlie Connors and the impact to the budget will not affect this bill and we would strongly urge that you do this or we will lose a very large part of the effort on the part of Water Supply and Pollution Control to control environmental damage by development.

SENATOR MC LANE: Senator Bond, there is a proposal to dredge a section of the Winnepesaukee River, to which I am very much opposed. Are these the people that would be looking at that project or proposing that project?

SENATOR BOND: Whether these positions in themselves do that I don't know, Senator McLane.

Committee Report Adopted. Ordered to Third Reading

HB 327-FN-A, relative to the rate of the real estate transfer tax. Ought to Pass with Amendment. Senator Blaisdell for the committee.

SENATOR BLAISDELL: You will find that the real estate transfer tax in the present bill will be left at 3.50 on the buyer and 3.50 on the

seller. That makes it permanent. The committee amendment on the bill as it stands right now would leave the real estate transfer tax the way it is right now at 3.50 and 3.50. The other bill said it would be 2.50. We would have lost \$10 million in revenue. The committee recommends this amendment.

Amendment to HB 327-FN-A

Amend the bill by replacing section 1 with the following:

1 Rate Changed. Amend RSA 78-B:1, I to read as follows:

I. A tax is imposed upon the sale, granting and transfer of real estate and any interest therein, other than by devise or by the laws regulating intestate succession and descent. The rate of the tax is [\$.25] \$.35 per \$100, or fractional part thereof, of the price or consideration for such sale, grant or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of [10] \$14. Notwithstanding the foregoing provisions, there shall be no tax as exempted by RSA 78-B:2.

AMENDED ANALYSIS

This bill raises the rate of the real estate transfer tax from \$.25 to \$.35 per \$100, and raises the minimum tax due from \$10 to \$14.

This increased tax rate and minimum tax due were temporary measures for the biennium ending June 30, 1989.

Amendment adopted.

Senator Blaisdell offered a floor amendment.

SENATOR BLAISDELL: This is very important to the passage of the Senate Budget. Last evening the Senate Finance committee worked very hard and long with some real bitter discussions on where we are going to go. This amendment will raise \$18.8 million in revenue over the biennium and will make the real estate transfer tax, for the biennium coming up June 30, to 1991, will increase it to 4.50 and 4.50. As you know the House has raised the real estate transfer tax to 5. and 5. This amendment before you today raises it to 4.50 and 4.50 with a raise in revenue to \$18.8 million. This is vital, as much as I hate to say it, it is vital for passage of the Senate budget and I ask the Senate's concurrence.

SENATOR HEATH: I think we have now started the process that we seem to go through every single cycle. We don't have enough money to fund the programs and we start making the shoe pinch here and there and we never go back and look at our programs and

see those that aren't working, those that are of a lower priority than the ones. It is a one-way rat trap. Once a program gets in, it is there and expanding for eternity. And I think it is time that we started cutting some fat out of the meat and there is fat in there and there are programs in there that don't work well and there are programs that we have already that are of a lower priority than those that want to get in. And if we chose to let those in, I think we have to get rid of programs instead of keep adding on to the taxation of individuals. This bill flies in the face of affordable housing. We keep adding on to the cost of housing and now we are going to subsidize affordable housing. If you add on to the price of housing and cause it to move out of the affordable range and then come in with an affordable housing program, it is like taking money out of one pocket and putting it in the other and causing a lot of government interference. It seems to me that if we have really done our job, we balance priorities within existing revenues and we take out the programs that don't work. And I can't believe that in all the years that I have been in the legislature there aren't some vast programs out there that are of a lower priority than some of the ones we have instituted since then. And there are some that don't work. The money doesn't get to the clientele or the purpose of them doesn't exist any longer, or that they are just inefficient in carrying out their mission that we couldn't be rid of them. And I think it is time that we summon up our courage and start cutting some programs before we institute additional taxes in a year, this isn't a bad time in our history, it just isn't the super good time that we had. And for us to be raising taxes at this time, it seems to me is an insane policy. What are we going to do when times turn bad? Are we going to jack up all the fees and raise more taxes and make more people hurt so that times will get even worse? I think it is a bad policy and I think this is where we should draw the line and say no.

SENATOR DUPONT: I rise very reluctantly to speak in support of this legislation. I don't think my credentials as a fiscal conservative have been questioned in this body before. I have risen many times in opposition to raising of taxes and risen many times to support the cutting of state programs if they were unnecessary. But I think it is important that I bring to the Senate today a little prospective on where we are at in the state budget and why we are urging the Senate to support the increase in the real estate transfer tax. Our decisions in the Senate as to the state budget really revolve around four issues and I will give the Senate the choices that they have in front of them if they don't vote to raise this tax today. You can go into revenue sharing line item in the state budget which is \$51 million and cut out \$10 million each year in what we share with our cities

and towns. That is your first option. Second option is go into our mental health programs and take out enough money to balance this budget that you will have in front of you next Tuesday which will then allow us to reinstitutionalize those people we have brought back to our communities or cut school building aid or catastrophic aid or aid to education or I'll give you your last choice. You could go out with a broad sweep and cut 10% of the state employees. Those are your options. And I don't stand here today very happy in urging an increase in this tax, but I can tell you that when we got through last night at 9:00 after 4 or 5 hard days of working on the budget the choices aren't that easy. And what you have in front of you today is the raising of a tax that I support because I, having worked on the budget, understand the need to make this decision today. So I would urge my colleagues to support the Senate Ways and Means committee in their deliberations on this important issue.

SENATOR NELSON: I would just like to preface my question by saying that truly you and your committee deserve credit for the intense pressure that you have received state-wide. That is not meant to be patronizing or political, that is the absolute fact. Now Senator Dupont, given the fact that you have suggested, should we not support this type of a tax that in fact these programs will not have anything and we will not balance the budget specifically, sir, then I ask you, could you please explain the relationship of the rainy day fund and the \$27 million dollars that is sitting in there and why it is not possible for us to take a look at that particular piece at present.

SENATOR DUPONT: Senator, if you remember back when we debated the rainy day fund, the issue of the rainy day was putting forth a plan that would provide for the ability of the State of New Hampshire to give our financial institutions that lend to the State of New Hampshire or establish ratings for the State of New Hampshire borrowing some assurances that we would have the capability to balance our books in those years when times weren't quite so good. And I agree with you that that is \$27 million sitting out there, but that \$27 million does provide some guarantees that perhaps if next year things are worse than today, we might have the opportunity to go in there and use some of that money, but we are not at the point in time where I feel comfortable in raiding that fund and furthermore, the long term costs of doing that would basically be worse than not touching that fund. And I will explain that by saying that in fact our ability to bond provides us with a lower rate for monies that we borrow for things in the capital budget. So it is not prudent at this time.

SENATOR NELSON: But, sir, the question is, you are suggesting, in fact, that we don't have a deficit, yet you are saying and you are talking about the bond rating, I am asking you is the bond rating it is important but you are suggesting that we should raise taxes and do all kinds of things like this rather than taking care of the people in the State of New Hampshire with some of this \$27 million so we won't affect the bond rating just in case things get worse next year? Is that how I understand it?

SENATOR DUPONT: Senator, you can take the rainy day fund today and next year if things are worse than they are today you have no money to pay your bills and the things that I mentioned where we felt they were important to fund, then you can hit those programs and all the negative things that we have tried not to do will happen. This fund was established specifically to level the peaks and valleys in our revenue sources and we still have a revenue source that is increasing so that is why we don't use the fund at this point in time. But we also have increased costs in the operating in our state government and that's the reason for this tax increase, to avoid using the rainy day fund.

SENATOR HEATH: I would like to premise this and say that I certainly do not believe that you are a liberal and I don't know of anybody in this body whose voting record is more similar to my own and I certainly have great sympathy for the difficulty of rising in support of this horrific measure. My question is, would you believe, since I believe that if we say no we have to responsibly say where we would like the alternative. Now would you believe that my choice would be the revenue sharing in that we are trying very hard to find funding for our programs and that I believe that the towns who have their sources of revenue should have to make the hard decisions and make them a little tougher for the towns since they do a better job of holding down taxes, but finally, I would love to start chewing off some employees and dead wood in that area from agencies except I realize the game that goes on when you start cutting off agencies is that they take the most vulnerable people in the state and hold them hostage and rather than taking the dead wood out of their departments and I believe we could do it that way if we could properly identify those people, but I think it would cost an enormous amount to identify those people and so my choice would be revenue sharing.

SENATOR DUPONT: I can appreciate your concerns relative to what state employees we have that we might possibly be able to cut or what programs we might be able to do away with. Unfortunately the budget process doesn't allow us the opportunity to go in and

examine those very things that you mentioned. We spent a long time deliberating whether or not we ought to look at cutting revenue sharing or cutting off school building aid and we made a policy decision that said no. And in these current times, when we are all worried about local property taxes, we didn't feel that was appropriate. And I would just add to this that I am very very disappointed that we can't fund this budget without increasing this tax. And if there was any possible way that I thought we could do it, we would have done it but we spent a lot of time making some hard decisions and looking at what the needs are. And I can assure you that I think this budget needs, this is not a wish list budget, this is really a budget that just provides for maintenance of existing levels of services.

SENATOR HEATH: Senator Dupont, do you believe in your heart of hearts that the money that we send, if this bill passes, back to the towns in building aid and revenue sharing will decrease those property taxes or simply add on to their spending and the state will be funding something in addition that they might not have funded otherwise if the shoe had been a little tighter?

SENATOR DUPONT: Senator, without looking at individual budgets, I couldn't answer that question, but I would hope that it goes to help reducing property taxes in this state.

SENATOR KING: Senator Bartlett suggested that the rainy day fund could only be accessed if the state went into a deficit position. What I am asking you is could we not amend the law as it currently exists so that those dollars which were taken from taxpayers last year and placed into this savings account, couldn't be used in order to prevent us from having to reach into the taxpayers' pockets again to raise taxes in order to meet the needs of the state?

SENATOR DUPONT: Legislatively you could amend the enacting legislation for the rainy day fund and take the money out of it. You could do that. It is my recommendation as a member of Senate Finance that that not be done because I think the overall long-term effect for the State of New Hampshire is a positive one for having the rainy day fund there.

SENATOR JOHNSON: I did not expect to be faced with this question today. I had been led to believe that this would not be a question before this body. So in all honesty I am caught a little bit short as I stand here. I am going to oppose this amendment in part because I really haven't had a chance to think it all the way through myself. I am concerned that we have some \$27 million that has already been

collected and we are treating as sacrosanct and I am not sure about that. I hear what Senator Dupont is saying about the potential affect on the bond rating and I am not prepared to agree or disagree with that. I remind the body that there is some \$10 million that is owed to the State of New Hampshire from defaults. I haven't heard to what extent that potential revenue has been cranked into the revenue projections. I am also concerned in terms of employees. I did appear before the Senate Finance committee last week. I referred to the organizational chart at the Nashua Vocational-Technical College, soon to be referred to as the Nashua Technical College. The administrative and maintenance staff at that college has grown way beyond and the faculty that is not going to produce \$18.8 million I realize that. At the committee hearing the other day, I mentioned that at the University of New Hampshire we now have an Executive Vice President that has been in that position for the last year or so, that is a new position. You take a look at that whole executive staff there, there are a lot of people there. I am just uncomfortable which ever way I vote.

SENATOR DISNARD: I reluctantly rise to say I will support this bill. I say this because as Chairman of the Education Committee, I have pounded on the Finance committee for full funding in foundation aid, full funding on building aid, full funding on catastrophic aid, full funding on capitalization and full funding on tuition and transportation for the vocational schools. Much as I have said, and my party, we shouldn't be raising taxes, I don't believe I can come forth and ask for dollars and ask for \$10 million for two communities in my district for skill centers and then say no we don't need additional funds. I reluctantly speak to say this.

SENATOR CURRIER: As the sole dissenting vote in the Ways and Means committee on this measure, I rise in support of the measure, reluctantly supporting the measure, if in fact revenues sharing is one of the alternatives to be tapped. I would not want to see that happen and we should not take anything more away from the cities and towns that we now are already giving them. And I would hope that the full Senate would support this measure.

SENATOR KING: Senator Disnard, in your statement that you made a moment ago, you talked about foundation aid and school building aid and how you had worked with Senate Finance on that issue. Are you telling us today, that if we vote in favor of this measure, that we will not see sweepstakes funds used to balance the budget. That we will see full funding for building aid and foundation aid?

SENATOR DISNARD: I don't remember using the terms sweepstakes. Now if you want to rephrase the question, how do I feel about raiding the sweepstakes, I'll answer it.

SENATOR KING: Senator Disnard, do you believe that it is appropriate for us to use sweepstakes funds to balance the budget.

SENATOR DISNARD: No.

SENATOR HOUGH: I rise in support of the recommendation of the Ways and Means Committee. And I would just like to say, Roger you were here in the last biennium, and you watched as the process went through the conference and clearly it was under the tutelage of people such as Senator Torr and Senator Dupont that section 1, general government, section 2, public protection, section 3 and 4 which is the Fish and Game and Environmental and DRED and Highway were rolled back, gleaned, brought into a skeletal mode. And for the efforts, we were able to maintain essential state human services and support to education. So it is in this biennium again. The process that was undertaken in the last many months and incidentally, Senate Finance completed its work in February with the agencies and is working individually in work sessions since that day, and again has skewed from general government, public protection, resources and transportation not only every inch of fat, but as Mr. McAuliffe of the University said, we are now at a bleached bone mode. And so you would ask, what about mental health, and of the \$15 million that it was the consensus of this committee to support, the choices were obvious. And on Tuesday, I will give you a schedule of what that means in terms of taking people out of group homes and putting them on the streets, taking mentally retarded people and making them the next wave of street people. We do not have the luxury of voluntary commitments in the institutions as we did in the years past. And even if we were to have that option, we have not the contingency plans to take care of these New Hampshire human beings that would be returning to our institutions in the revolving door syndrome because of curtailed services at the community mental health and mentally retardation developmental disability centers. Now this is only the beginning. But on and on it is through the good works of the members of the Finance Committee that the hard sacrifices were made and the monies that were spent were spent to keep human beings from falling through the cracks. If it takes an increase in the real estate transfer tax, so be it. Your committee has worked hard in assessing the needs and the Ways and Means Committee has worked responsibility in coming up with a means so that we can meet the needs of the people of New Hampshire.

SENATOR HEATH: Senator Hough, why is it every time we come down to this point, and I have done this for a decade and watched it go on and on, we talk about throwing the clientele out on the street and taking the service away from the elderly and the poor and the disadvantaged, why is it you never go into the agency and find the woman, and I have gone by her desk four times, filing her fingernails, reading a book, putting on her makeup and so on and the guy who is never at his desk he is always downstairs in the Health and Welfare building taking two and three hour lunches and the people who are passing and shuffling papers, why are those people never out on the street instead of the clientele when it comes down to cutting fat?

SENATOR HOUGH: When it comes to Tuesday, you will hear me tell you that in the area of human services that we have initiated if you will a cost effective means in administration. We have consolidated, we have affected efficiency and we have affected, if you will, \$700,000 of support to people out of administrative costs in that agency. Where the woman with the fingernail file sits, if she sits in section one or two or three or four, you give me her name and I will send Dupont and Torr to find her.

Floor Amendment to HB 327-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the rate of and transfers under
the real estate transfer tax.

Amend the bill by replacing all after the enacting clause with the following:

1 Rate Changed. Amend RSA 78-B:1, I to read as follows:

I. A tax is imposed upon the sale, granting and transfer of real estate and any interest therein, other than by devise or by the laws regulating intestate succession and descent. The rate of the tax is [\$.25] \$.35 per \$100, or fractional part thereof, of the price or consideration for such sale, grant or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of [10] \$14. Notwithstanding the foregoing provisions, there shall be no tax as exempted by RSA 78-B:2.

2 New Paragraphs; Additional Exceptions Added. Amend RSA 78-B:2 by inserting after paragraph VIII the following new paragraphs;

IX. To a transfer of title from one business entity to another business entity as a result of merger or consolidation.

X. To a transfer of stock or other similar equity interest.

3 Rate of Tax for Biennium Ending June 30, 1991. Notwithstanding the provisions of RSA 78-B:1, I, for the biennium ending June 30, 1991:

I. A tax is imposed upon the sale, granting and transfer of real estate and any interest therein including transfers by operation of law. Each sale, grant and transfer of real estate, and each sale, grant and transfer of an interest in real estate shall be presumed taxable unless it is specifically exempt from taxation under RSA 78-B:2.

II. The rate of the tax is \$.45 per \$100, or fractional part thereof, of the price or consideration for such sale, grant or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of \$18. The tax imposed shall be computed to the nearest whole dollar.

4 Effective Date.

I. Sections 1 and 3 of this act shall take effect July 1, 1989.

II. The remainder of this act shall take effect January 1, 1990.

AMENDED ANALYSIS

This bill raises the rate of the real estate transfer tax from \$.25 to \$.35 per \$100, and raises the minimum tax due from \$10 to \$14.

This increased tax rate and minimum tax due were temporary measures for the biennium ending June 30, 1989.

The bill also adds 2 exceptions to payment of the transfer tax for a transfer of title from one business entity to another business entity as a result of merger or consolidation, and for a transfer of stock or other similar equity interest.

This bill also imposes a temporary tax of \$.45 per \$100 under the real estate transfer tax law for the biennium ending June 30, 1991. Amendment adopted. Ordered to Third Reading.

Senators Johnson, King, Magee, Charbonneau, Nelson and Roberge wished to be recorded as opposed to the decision.

NOTICE OF RECONSIDERATION

Senator Bass moved reconsideration of HB 492.
Adopted.

Senator Bass offered a floor amendment.

Floor Amendment to HB 492

Amend the bill by replacing section 3 with the following:

3 Effective Date. This act shall take effect upon its passage.
Amendment adopted. Ordered to Third Reading.

COMMITTEE REPORTS

HB 330-FN-A, relative to exemption from the gasoline tax and state license plates.

Ought to Pass. Senator McLane for the committee.

SENATOR MC LANE: This bill takes care of vehicles belonging to the CAP program, Head Start, fuel assistance, weatherization and meals-on-wheels. What it does is exempt them from the New Hampshire gas tax. They are exempt from the federal tax. They were always exempt from the New Hampshire gas tax until last year when an audit showed that the exemption was not in law. This creates the exemption in law, it amounts to a cost of \$20,000 and it comes out of the highway fund. This is a way it seems to me for the state to give \$20,000 to a proven program including Head Start and Meals-on-Wheels.

Adopted. Ordered to Third Reading.

HB 422-FN-A, relative to increasing the rate of the business profits tax, and relative to establishing a committee to study the business profits tax.

Ought to Pass with Amendment. Senator Roberge for the committee.

SENATOR ROBERGE: HB 422-FN-A came over from the House (Tape inaudible)

Amendment to HB 422-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

relative to lowering the rate of the business profits tax,
and relative to establishing a committee to study
the business profits tax.

Amend the bill by replacing section 1 with the following:

1 Rate of Business Profits Tax For Biennium Ending June 30, 1991. Notwithstanding the provisions of RSA 77-A:2, the tax imposed on business organizations under RSA 77-A shall be imposed at the rate of 7.999 percent upon the taxable business profits of every business organization for the biennium ending June 30, 1991.

AMENDED ANALYSIS

The bill lowers the rate of the business profits tax from 8 to 7.999 percent for the biennium ending June 30, 1991.

The bill also establishes a committee to study the business profits tax. The committee shall prepare a report on or before December 1, 1989, which shall propose ways to provide a fair and equitable application of the business profits tax to business organizations.

Amendment adopted. Ordered to Third Reading.

HB 532-FN, establishing a committee to study the revenue structure in New Hampshire.

Ought to Pass. Senator Dupont for the committee.

SENATOR DUPONT: 532 establishes a study committee to look at the revenue structure in the State of New Hampshire. The Senate Ways and Means committee in its wisdom felt that this was an appropriate piece of legislation and urges the Senate to support our committee recommendation.

Adopted. Ordered to Third Reading.

HB 764-FN-A, relative to state revenues and appropriations.

Ought to Pass with Amendment. Senator Dupont for the committee.

SENATOR DUPONT: HB 764 came over to Senate Ways and Means as a bill that was originally used by the House to raise certain fees and permit costs. I could go through individually and explain each section to you, but I won't. If you take a look at the very back of the bill you will find under the fiscal note an explanation of each different section and what area it impacts. If you have specific questions, I will address them. This basically, in a nut shell, takes a look at the various fees that we assess or permit fees that we charge throughout state government. And raises them to help fund the agencies which have the supervisory or regulatory authority over those specific areas. In addition to that it establishes a couple of committees, one that will deal with data processing and one that deals with the area of mental health and the delivery services in the mental health area.

SENATOR HEATH: Senator, what does, this floor amendment dealing with the Christa McAuliffe memorial fund, what does that affect?

SENATOR DUPONT: Senator we are adopting the committee amendment first and then I will address that.

Amendment to HB 764-FN-A

Amend the bill by deleting sections 22, 65 and 66 and renumbering sections 23-64 and 67-98 to read as 22-95, respectively.

Amend the bill by replacing all after section 92 with the following:

93 Appropriation. The sum of \$100,000 is appropriated to the data processing and computer management study committee for the fiscal year ending June 30, 1990, for the purpose of engaging expert consultants to assist the committee in the performance of its duties under section 89 of this act. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

94 New Subdivision; Fish and Game Search and Rescue Fund. Amend RSA 206 by inserting after section 41 the following new subdivision:

Fish and Game Search and Rescue Fund

206:42 Fish and Game Search and Rescue Fund. The additional fee of \$1 collected under the provisions of RSA 270:5, VIII for each private boat registered and under RSA 215-A:23, VII for each OHRV registered shall be paid over to the state treasurer who shall keep such fees in a special fund to be expended by the fish and game department for use in search and rescue operations. The special fund shall be nonlapsing. All funds received under this subdivision are continually appropriated to the fish and game department for the purposes of this subdivision.

95 New Paragraph; Collection of Additional OHRV Registration Fee for Search and Rescue Fund. Amend RSA 215-A:23 by inserting after paragraph VI the following new paragraph:

VII. Notwithstanding the provisions of paragraph VI, there shall be paid to the executive director, in addition to the fees required by this section, an additional fee of \$1 for each registration required by this section. The additional fee shall be paid into the fish and game search and rescue fund established under RSA 206:42.

96 New Paragraph; Collection of Additional Boat Registration Fee for Search and Rescue Fund. Amend RSA 270:5 by inserting after paragraph VII the following new paragraph:

VIII. There shall be paid to the director, in addition to the registration fees required by this section, an additional fee of \$1 for each registration required by this section. The additional fee shall be paid into the fish and game search and rescue fund established under RSA 206:42.

97 Revolving Fund Established. RSA 206:22-a is repealed and re-enacted to read as follows:

206:22-a Publications and Specialty Items Revolving Fund.

I. There is established a revolving fund to be known as the publications and specialty items revolving fund in the fish and game department. The revolving fund shall be used for the sole purpose of producing or purchasing publications and specialty items which shall be offered to the public at a reasonable charge. All income from the sale of such publications and items shall be deposited into the special fund.

II. The amount in the publications and specialty items revolving fund shall not exceed \$50,000 and any amounts in excess of \$50,000 shall be deposited in the fish and game fund. Any moneys in the fund not in excess of \$50,000 shall not lapse.

98 Initial Capitalization. The sum of \$50,000 for the fiscal year ending June 30, 1990, is hereby appropriated to the fish and game department for deposit into the publications and specialty items revolving fund established in RSA 206:22-a. This appropriation shall be a charge against the fish and game fund.

99 Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

100 Effective Date.

I. Sections 58-59, 79-81, 85, and 93-98 of this act shall take effect July 1, 1989.

II. Sections 87-91 and 99 of this act shall take effect upon its passage.

III. Sections 82-84 of this act shall take effect July 1, 1994.

IV. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill raises certain permit, filing and licensing fees charged by various state agencies.

The bill imposes certain new fees to be charged by the department of environmental services and other state agencies.

The bill establishes a legislative oversight committee on data processing.

The bill establishes a data processing and computer management study committee and a mental health and developmental services study committee.

The bill increases penalty assessments charged by the courts and directs a percentage of such assessments to be deposited in a court modernization fund. The supreme court may use moneys in the fund for the development and upgrading of the judicial branch. The ad-

ministrative office of the courts and the fiscal committee are to review the fund in 1993. The fund is created as of July 1, 1989, and lapses on June 30, 1994.

The bill requires a review of the victims' assistance fund by the department of justice and the fiscal committee in 1993. The fund lapses on June 30, 1994.

The bill makes other miscellaneous changes in state funds and accounts.

The bill also establishes a revolving fund in the fish and game department to be used for the purchase of publications and specialty items to be offered to the public for a reasonable cost, and makes an appropriation to the fund. It establishes a fish and game search and rescue fund.

Amendment adopted.

Senator Roberge offered a floor amendment.

SENATOR ROBERGE: (Tape inaudible) The fair market value of the land as determined by the political body which acquires the land is at least 150% of the sale price, then any gain recognized on the sale would be exempt from the business profits tax. The purpose of this legislation is to provide an incentive and a vehicle for promoting the bargain sales of gifts of land for conservation and recreation purposes to the state, cities, towns and counties. I urge passage of my amendment.

Floor Amendment to HB 764-FN-A

Amend the bill by inserting the following before the effective date section and renumbering as necessary:

New Paragraph; Conservation and Recreation Land Defined. Amend RSA 77-A:1 by inserting after paragraph XX the following new paragraph:

XXI. "Land used for conservation or recreation purposes" means land and recreational improvements thereon which is held for use in a business activity by a business organization, and which is sold to the state or any of its political subdivisions to be used for conservation or recreation purposes. As used in this paragraph, "conservation purposes" means the permanent protection of water resources, wildlife habitat, farmland, wetland, flood plain, forest land, or other open space or natural resources that, regardless of the acreage involved, would otherwise qualify as open space lands pursuant to RSA 79-A. As used in this paragraph, "recreation purposes" means non-commercial outdoor recreation open to the public.

New Paragraph; Deduction for Sale of Conservation and Recreation Land. Amend RSA 77-A:4 by inserting after paragraph XIII the following new paragraph:

XIV. In the case of a business organization which sells by mutual consent to the state or to any of its political subdivisions land or a qualified conservation restriction as defined in RSA 477:45 to be permanently used for conservation or recreation purposes, as defined in RSA 77-A:1, XXI, the fair market value of which, as determined by the state or appropriate political subdivision, is at least 150 percent of the sale price of the land, a deduction from gross business profits of an amount equal to the gain realized on the sale.

Amend the effective date section by adding the following new paragraph and inserting the correct section number in the paragraph:

Sections and of this act shall take effect July 1, 1989, and shall apply to returns and taxes due on account of taxable periods beginning after June 30, 1989.

Add the following paragraph to the amended analysis:

This bill also provides that any business organization which sells by mutual consent to the state or to any of its political subdivisions land or a qualified conservation restriction as defined in RSA 477:45 to be permanently used for conservation or recreation purposes, the fair market value of which, as determined by the state or political subdivision, is at least 150 percent of the sale price of the land, a deduction shall be allowed from a gross business profits under the business profits tax of an amount equal to the gain realized on the sale.

Amendment adopted.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: You have in front of you another floor amendment which makes some minor changes in a couple of areas and also includes some increased fees in the charitable trust division of the Attorney General's Office. The first page there is a lapse date extended for the Christa McAuliffe memorial fund so that the funds don't lapse at the end of this biennium. There is a minor amendment to the data processing sub-committee that was set up under this act and that is it basically as well as some effective date changes, so other than the increased fees in the Charitable Trust Division, it is really minor changes.

Floor Amendment to HB 764-FN-A

Amend the bill by replacing section 58 with the following:

58 Lapse Date Extended. The appropriations made to the special initiatives program, office of the commissioner, department of education in 1987, 400:21, I for certain initiatives and the Christa McAuliffe memorial fund are hereby extended to June 30, 1990.

Amend paragraph II of section 89 of the bill by replacing it with the following:

II. Review the operation objectives and each major data processing function of all state agencies including the judicial branch, and including, but not limited to, interrelationships and necessary coordination both in terms of hardware and software selection and utilization criteria.

Amend the bill by replacing all after section 98 with the following:

99 Filing Fees for Charitable Trusts. RSA 7:28-a is repealed and reenacted to read as follows:

7:28-a Filing Fees.

I. Any instrument required by RSA 7:28, I to be filed with the attorney general shall be accompanied by a filing fee of \$25.

II. Any periodic written report required by RSA 7:28, II to be filed with the attorney general shall be accompanied by a filing fee of \$50.

100 Compliance of Fund Raising Counsel. The introductory paragraph of RSA 7:28-b, II is repealed and reenacted to read as follows:

II. A fund raising counsel shall comply with subparagraphs (a) and (b) of this paragraph. A fund raising counsel who at any time has custody of contributions from a solicitation shall also comply with subparagraphs (c) through (e) of this paragraph:

101 Condominium Registration Fee Increased. Amend RSA 356-B:51, VII to read as follows:

VII. Each application shall be accompanied by a fee in an amount equal to [~~\$20~~] **\$30** per unit, except that the initial application fee shall be not less than \$300 nor more than \$2,000, and the fee for any application for registration of additional units shall be not less than \$200 nor more than \$2,000.

102 Subdivision Application Fee Increased. Amend RSA 356-A:5, VII to read as follows:

VII. Every application shall be accompanied by a fee in an amount equal to [~~\$20~~] **\$30** per lot, parcel, unit or interest, except that the initial application fee shall not be less than \$300 nor more than

\$2,000, and the fee for any application for registration of additional lots, parcels, units or interests shall not be less than \$200 nor more than \$2,000.

103 Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

104 Effective Date.

I. Sections 59, 79-81, 85, 93-102 of this act shall take effect July 1, 1989.

II. Sections 58, 87-91, 99, and 103 of this act shall take effect upon its passage.

III. Sections 82-84 of this act shall take effect July 1, 1994.

IV. The remainder of this act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill raises certain permit, filing and licensing fees charged by various state agencies.

The bill imposes certain new fees to be charged by the department of environmental services and other state agencies.

The bill establishes a legislative oversight committee on data processing.

The bill establishes a data processing and computer management study committee and a mental health and developmental services study committee.

The bill increases penalty assessments charged by the courts and directs a percentage of such assessments to be deposited in a court modernization fund. The supreme court may use moneys in the fund for the development and upgrading of the judicial branch. The administrative office of the courts and the fiscal committee are to review the fund in 1993. The fund is created as of July 1, 1989, and lapses on June 30, 1994.

The bill requires a review of the victims' assistance fund by the department of justice and the fiscal committee in 1993. The fund lapses on June 30, 1994.

The bill makes other miscellaneous changes in state funds and accounts and extends a lapse date.

The bill also establishes a revolving fund in the fish and game department to be used for the purchase of publications and specialty items to be offered to the public for a reasonable cost, and makes an appropriation to the fund. It establishes a fish and game search and rescue fund.

Amendment adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Bond moved that the rules of the Senate be so far suspended as to allow the introduction of bills not listed in the calendar.

Adopted. (2/3 vote necessary)

HB 56-FN-A, authorizing a collection program for unwanted pesticides in the possession of farmers and making an appropriation therefor.

Ought to Pass with Amendment. Senator Bond for the Committee.

SENATOR BOND: The amendment to HB 56 is being distributed right now. These three bills were heard this morning in DevRec; that is why we had to ask for a suspension of the rules. They all have to go to finance today. The amendment to HB 56 reduces the appropriation requested from \$100,000 to \$75,000. The money will not actually come from the general fund, but will come from the hazardous waste fund. Its purpose is to fund a one-time collection of hazardous pesticides which exist on farms around the state that are not disposable otherwise. We heard from testimony that you can go out and bury this stuff on your farm, but you are putting hazardous pesticides on the land when in fact they should be provided some way of getting rid of them. Since the farmer has no incentive to spend the money to dispose of them, the state is proposing a one-time collection effort to all farmers to get rid of them. These pesticides apparently cannot be collected through the community pesticide and hazardous waste materials collection programs. We heard testimony that farmers who have tried to turn in their materials that way have been denied the opportunity. We would urge you to support the amendment.

Amendment to HB 56-FN-A

Amend the bill by replacing section 2 with the following:

2 Appropriation. The sum of \$75,000 for the fiscal year ending June 30, 1990, is hereby appropriated to the department of agriculture, division of pesticide control, to conduct a collection program for unwanted pesticides pursuant to section 1 of this act. This appropriation shall be in addition to any other funds appropriated to the department of agriculture, shall not lapse during the biennium ending June 30, 1991, and shall be drawn from the New Hampshire hazardous waste cleanup fund established by RSA 147-B:3, notwithstanding the provisions of RSA 147-B:3 regarding the uses of such fund.

AMENDED ANALYSIS

This bill appropriates \$75,000 for the fiscal year ending June 30, 1990, to the department of agriculture, division of pesticide control, to conduct a collection program for unwanted pesticides possessed by farmers.

This bill is a request of the division of pesticide control, department of agriculture.

Amendment adopted. Referred to Finance (Rule #24)

HB 88-FN, relative to weights and measures.

Ought to Pass with Amendment. Senator Bond for the Committee.

SENATOR BOND: We heard this bill this morning. The Commissioner of Agriculture is in support of it. The amendment simply removes paragraph 9 in the bill that you have in your hand. The procedures that are described in 9 would supercede what they have been doing for about 80 years and the testimony that we heard indicated that the present enforcement was very appropriate. What this bill does is to provide more flexibility to the Commissioner in the enforcement of weights and measures, means that he is not scheduled on an annual basis on all weights or measures calibrations. He can have flexibility of three months to two years if that is more appropriate.

Amendment to HB 88-FN

Amend the bill by deleting section 9 and renumbering the original sections 10-20 as 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, respectively.

Amendment adopted. Ordered to Third Reading.

HB 58-FN-A, appropriating funds for inspection of apiaries and prevention of honeybee colony contamination.

Ought to Pass. Senator Bass for the committee.

SENATOR BASS: This bill appropriates a sum of money to employ two part-time inspectors for apiaries. Bee hives are important in this state, not only for agricultural purposes and the production of honey, but for pollination. We do have three rather significant problems. The tracheal mite, the boroamite, and the African Killer Bee. And I would say that this is also a public protection bill because those killer bees are mean. I hope that this Senate will pass this super bill which was well framed and although I don't wax very eloquent on it, we will assure that the little insects in this bill will "bee" healthy.

SENATOR BOND: I am glad that Senator Bass was able to stick to the subject. It is a sweet one. This bill is, although we are making some jest of it, is \$29,000 for the biennium and I see Senator Blaisdell cringing, but it is an extremely important bill. If you have apple orchards, if you have zucchini squash, if you have anything, something has to pollinate those flowers. The problem that the state is confronted with is that there is a rapid depletion in the number of available bees for pollination purposes being brought in from outside. Diseases have come in and they must be able to track the diseases if we are going to have any bee population and therefore any agricultural production in the future.

SENATOR CHARBONNEAU: Senator Bass, could you please tell me where they import their queen bees from?

SENATOR BASS: I knew you would sting me with something like this. I think it is California.

Adopted. Referred to Finance (Rule #24)

SUSPENSION OF THE RULES

Senator St. Jean moved that the rules of the Senate be so far suspended as to allow introduction of a committee report not previously listed in the calendar.

Adopted. (2/3 vote necessary)

HB 518-FN, establishing a cost containment unit within the department of administrative services to administer the indigent defense eligibility and repayment program and making an appropriation therefor.

Ought to Pass with Amendment. Senator Preston for the committee.

SENATOR PRESTON: This bill establishes a cost containment unit within the Office of the Commission of Administrative Services. If you recall, we established this office some time ago to recompense for having provided attorneys to those indigent and unable to pay for attorneys. It has been very successful thus far and has this year alone returned some \$300,000 to the coffers of the state and I urge your support for the continuation of this program and this agency.

SENATOR KING: Senator Preston, if we are establishing a unit within there, are we not having to employ additional people or not?

SENATOR PRESTON: It is making it permanent as I understand it.

SENATOR BARTLETT: We have a pilot program. This takes the pilot program out of existence and putting it in its place.

SENATOR NELSON: Senator Preston, I just wanted to follow up on Senator King's question. I want to make sure I am not doing the wrong thing here in terms of the amendment. This says it makes an appropriation establishing new positions to administer the indigent. This talks about new stuff.

SENATOR PRESTON: Statutorily we are saying it establishes this office of cost containment that up to now has been a prototype program. We are giving it a sense of permanency.

Amendment to HB 518-FN

Amend the bill by replacing section 13 with the following:

13 Appropriation; Department of Administrative Services. There is established a new PAU within the department of administrative services for the cost containment unit. The following sums are appropriated to this PAU to pay the costs of the positions authorized in section 14 of this act and other costs of the cost containment unit as follows:

- 01 General government
- 04 Administrative services
 - 01 Office of commissioner
 - 02 Budget office
 - 05 Cost containment unit

	Fiscal Year 1990	Fiscal Year 1991
10 Personal services - permanent	118,756	123,788
20 Current expenses	39,580	43,090
30 Equipment	9,450	4,600
50 Other personal services	56,299	58,524
60 Benefits	31,622	34,187
70 In-state travel	3,000	3,400
80 Out-of-state travel	500	550
90 Other expenditures	1,600	1,600

* Class 20 includes
 Rent FY90 15,990
 FY91 16,790

TOTAL	260,807	269,739
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Estimated source of funds for cost containment unit		
General fund	260,807	269,739

The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.
 Amendment adopted. Referred to Finance (Rule #24)

HB 104-FN, relative to common and contract carriers.
 Ought to Pass with Amendment. Senator Heath for the committee.

SENATOR HEATH: This bill establishes clearer definitions of contract and common carriers and the committee amendment, which a floor amendment will speak to later, makes certain and it was the specific intention of the committee to make certain that refuse carriers will not be issued territories by any department of state government as they have in the past in contradiction of the known Supreme Court case decision. And the floor amendment that will be offered later more thoroughly clarifies that intent.

Amendment to HB 104-FN

Amend the bill by inserting after section 24 the following and renumbering the original section 25 to read as 26:

25 New Paragraph; Exemption from Common Carrier for Hire; Solid Waste Transporters. Amend RSA 375-B:3 by inserting after paragraph VI the following new paragraph:

VII. Commercial motor vehicles engaged in hauling or transporting solid waste.

Amend the bill by deleting sections 10, 14 and 21 and renumbering the remaining sections 11-13, 15-20, and 22-26 to read as 10-23, respectively.

Amendment adopted.

Senator Bond offered a floor amendment.

SENATOR BOND: As Senator Heath indicated this clarifies the language concerning the common carriers and solid waste hauler, septic waste haulers. This amendment also includes language which

established specifically designated license plates to be attached to all commercial waste hauling vehicles traveling New Hampshire roads as requested by the Department of Safety.

SENATOR HEATH: Senator Bond, just for the record, is it agreed that the intent of a portion of this amendment is to make certain that no department of the state of New Hampshire regulates the territories of refuse carriers in terms of giving out franchises?

SENATOR BOND: That is clearly the intent of this bill.

Floor Amendment to HB 104-FN

Amend the bill by replacing section 1 with the following:

1 Declaration of Purpose. It is the intent of this act to insure that certificates or permits issued pursuant to RSA 375-B shall not be granted for a particular geographic area.

Amend the bill by replacing section 25 with the following:

25 New Section; Waste Hauler Plates. Amend RSA 261 by inserting after section 93 the following new section:

261:93-a Solid Waste Hauling Vehicles. Owners of commercial vehicles used for hauling solid waste, except septage shall apply to the division of motor vehicles for a special license plate, which shall be in addition to any other required license plate, designating the vehicle as a solid waste hauler. The director of the division of motor vehicles shall issue a special series of license plates designed to clearly identify those vehicles used for commercial solid waste hauling and shall collect a fee as established by the commissioner of safety. All vehicles traveling on New Hampshire roadways engaged in commercial solid waste hauling shall be required to display the special license plate. The commissioner of safety shall enforce the provisions of this section.

26 New Section; Refuse Transporters Covered. Amend RSA 375-B by inserting after section 3 the following new section:

375-B:3-a Regulation of Refuse Transporters. Any person who transports refuse as defined in RSA 149-M:1, XVII-a and otherwise qualifies as a common or contract carrier shall not be exempt from the provisions of this chapter by virtue of the fact that he transports refuse. Refuse as defined in RSA 149-M:1, XVII-a shall be considered to be property for the purpose of this chapter. A person who transports refuse as a common or contract carrier shall be required to meet the provisions of this chapter and the rules adopted under this chapter and shall be subject to the penalties specified.

27 Reference Added; Exception for Refuse Transporters. Amend RSA 375-B:5, III(c) to read as follows:

(c) The proposed service must be required by the present or future public convenience. **This condition does not apply to an application seeking authority to transport refuse as defined in RSA 149-M:1, XVII-a.**

28 Exception; Refuse Transporters. Amend RSA 375-B:7 to read as follows:

375-B:7 Issuance of Contract Carrier Permits. A permit shall be issued to any qualified applicant therefor, as defined in RSA 375-B:2, VII, authorizing in whole or in part the operations covered by the application, if it appears from the application, or from any hearing held thereon, that the applicant is fit, willing and able properly to perform the service of a contract carrier by motor vehicle, and to conform to the provisions of this chapter and the lawful requirements, rules and regulations of the department thereunder; and that the proposed operation, to the extent authorized by the permit, will be consistent with the public interest and the policy declared in RSA 375-B:1; otherwise, such application shall be denied. **An applicant seeking authority to transport refuse as defined in RSA 149-M:XVII-a, however, need not establish consistency with the public interest to be issued a permit.** The department shall specify in the permit the business of the contract carrier covered thereby and the scope thereof and shall attach to it, at the time of issuance and from time to time thereafter, such reasonable terms, conditions, and limitations consistent with the character of the holder as a contract carrier as are necessary to carry out, with respect to the operations of such carrier, the requirements established by the department under the provisions of this chapter; provided, however, that no terms, conditions, or limitations shall restrict the right of the carrier to substitute or add contracts within the scope of the permit, or to add to his or its equipment and facilities as the development of the business and the demands of the public may require.

29 New Paragraphs; Common and Contract Carriers Defined. Amend RSA 375-A:1 by inserting after paragraph IV the following new paragraphs:

V. "Common carrier" shall mean a person holding itself out to the general public to provide motor vehicle transportation for compensation over regular or irregular routes, or both.

VI. "Contract carrier" shall mean a person providing motor vehicle transportation for compensation under continuing agreements with one or more persons:

(a) By assigning motor vehicles for a continuing period of time for the exclusive use of each such person; or

(b) Designed to meet the distinct needs of each such person.

30 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill amends the statutes dealing with common and contract carriers. The bill clarifies present law concerning the requirements for the issuance of permits for and the authority over contract carriers. The bill standardizes annual vehicle registration fees for common and contract carriers. The bill makes it clear that requirements imposed on carriers of property include carriers of household goods.

The bill details registration requirements for common and contract carriers by motor vehicle engaged in interstate commerce and revises various penalty provisions.

This bill requires solid waste haulers, except haulers of septage to apply to the division of motor vehicles for a specially designated license plate to be attached to all commercial waste hauling vehicles traveling on New Hampshire roads and pay a fee therefor as established by the commissioner of safety.

This bill also provides for the regulation of refuse transporters under existing provisions for common and contract carriers. It exempts refuse transporters from the requirement of demonstrating that the service is consistent with the public interest prior to the issuance of a permit.

Amendment adopted. Ordered to Third Reading.

HB 434-FN-A, relative to franchising and regulation of cable television systems and making an appropriation therefor.

Ought to Pass with Amendment. Senator Preston for the committee.

SENATOR PRESTON: The bill before us essentially is regarding cable television systems and it is a big business in the country. It is a \$12 billion business and over 200,000 households in New Hampshire are affected. This bill in essence provides consideration regarding the granting of cable television franchises and it sets up a process by which subscribers can communicate with cable tv companies and the Attorney General's office and the Secretary of State.

Amendment to HB 434-FN-A

Amend RSA 53-C:1, IV as inserted by section 1 of the bill by replacing it with the following:

IV. "Franchising authority" means in the case of a city, the city council, and in the case of a town, the selectmen, when authorized by an annual or special town meeting.

Amend RSA 53-C:3-e, II(e) as inserted by section 3 of the bill by replacing it with the following:

(e) If the complaint regards equipment malfunction or the quality of reception, a report indicating corrective steps taken, with the nature of the problem stated. Every cable television system operator shall make the logs or records, or both, of such complaints available to any authorized agent of the franchising authority upon request during normal business hours for on-site review, in compliance with the federal privacy provisions set out in the Cable Communications Policy Act of 1984, 47 USC Sec. 631 (Supp. IV 1986).

Amend section 3 of the bill by replacing all after RSA 53-C:3-c with the following:

53-C:3-d Recording of Subscriber Complaints.

I. Every cable television system operator shall keep a record or log of all written complaints received regarding quality of service, equipment malfunctions, billing procedure, employee relations with customers and similar matters. Such records shall be maintained for a period of 2 years.

II. Such record shall contain the following information for each complaint received:

- (a) Date, time, nature of complaint;
- (b) Name, address, telephone number of complainant;
- (c) Investigation of complaint;
- (d) Manner and time of resolution of complaint; and

(e) If the complaint regards equipment malfunction or the quality of reception, a report indicating corrective steps taken, with the nature of the problem stated. Every cable television system operator shall make the logs or records, or both, of such complaints available to any authorized agent of the franchising authority upon request during normal business hours for on-site review.

53-C:3-e Franchise Document Clearing House. Within 60 days of the granting of an initial franchise and any renewal of such franchise, the franchisee shall file a copy of the franchise and any Federal Communications Commission rulings or other rulings affecting such franchisee with the secretary of state. Within 60 days of the passage of this act all cable system operators shall file a copy of their existing franchise with the secretary of state. The secretary of state shall maintain a file of all franchise documents so recorded and make copies available upon request for the cost of reproduction and mailing, plus a reasonable administrative fee. The filing fee for initial and renewal franchise documents shall be \$50 per franchise or renewal of such franchise. In years in which the filing of initial or renewal fran-

chise documents is not required, the franchisee shall pay to the secretary of state a fee of \$50 for each locality served by the franchise.

53-C:3-f Rights of Individuals. No cable television system operator shall deny service, deny access, or otherwise discriminate against subscribers, channel users, or any other citizens on the basis of age, race, religion, sex, physical handicap, or country of natural origin.

Amendment adopted. Ordered to Third Reading.

HOUSE MESSAGES

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 36, relative to library records confidentiality.

HB 66, relative to health maintenance organizations.

HB 142-FN, relative to liability expenses for the support and necessities of minors.

HB 150-FN, authorizing the imposition of administrative fines for certain oil pollution control offenses and clarifying terminology in oil pollution control laws.

HB 155, relative to correcting an error in the March 10, 1987, Hooksett school district election ballot.

HB 221, exempting health care facilities and personnel from liability when performing medical procedures at the request of a law enforcement officer investigating a crime.

HB 232, relative to authorizing the prepayment of taxes.

HB 261-FN, relative to dog licenses.

HB 313, relative to the Carroll county attorney.

HB 401-FN, imposing a filing fee for registration of securities by coordination.

HB 445, recodifying certain water laws.

HB 467, relative to discharges of mortgages.

HB 493, relative to insurance premium refunds.

HB 531-FN, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places.

HB 708, relative to the Free Trade Agreement between the United States and Canada.

HB 758-FN relative to impact fees.

HOUSE ACCEDES TO SENATE REQUEST FOR A COMMITTEE OF CONFERENCE

SB 70-FN-A, establishing a pilot program to test the application of the office of state planning's GRANIT system.

House conferees are: Grodin, Metzger, Adams, Scharff.

HOUSE REQUESTS CONCURRENCE WITH AMENDMENTS

SB 163-FN, relative to power production capacity of certain small power production facilities.

Senator Bass moved concurrence.

Adopted.

ENROLLED BILLS AMENDMENTS.

Enrolled Bill Amendment to SB 119

Amend section 6 of the bill by replacing lines 11 and 12 with the following:

representatives of the general court assembled for the annual sessions in January, 1989 and January, 1990.

Senator Stephen for the committee.

SENATOR STEPHEN: This amendment corrects terminology in section 6 to refer to annual rather than biennial legislative sessions.

Adopted.

ENROLLED BILLS

HB 34, correcting references in the law relating to the division of water resources.

HB 93, relative to the board of nursing.

HB 237, relative to eviction of tenants with AIDS.

SB 29, relative to non-abandonment of dedicated streets.

SB 127, relative to licensing physical therapists.

HB 209, establish a committee to study the accessibility of nursing home care.

SB 19, establish a joint legislative oversight committee on highway and bridge construction and reconstruction plans.

Adopted.

NOTICE OF RECONSIDERATION

Senator Dupont moved reconsideration HB 764.

Adopted.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: I have a floor amendment that I would like to offer to correct a technical problem.

Floor Amendment to HB 764-FN-A

Amend the bill by inserting the following before the effective date section and renumbering as necessary:

Repeal. RSA 151-C:15, relative to fees for institutional health services, is repealed.

Amend paragraph I of the effective date section by replacing it with the following and by inserting the section number:

I. Sections 59, 79-81, 85, 93-102 of this act shall take effect July 1, 1989.

Amendment adopted. Ordered to Third Reading.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Tuesday, May 9, 1989 at 10:30 a.m.

Adopted.

LATE SESSION

THIRD READING AND FINAL PASSAGE

HB 173-FN-A, relative to the dedication of the Hampton State Beach lifeguard facility and making an appropriation therefor.

HB 240-FN-A, establishing a shooting range study committee.

HB 465, changing the name of the solid waste management council.

HB 492, relative to recreational campgrounds and camping parks.

HB 582-FN, dedicating the state police barracks in Milford to Major John T. Conti, Sergeant Roger Hilton, and Sergeant William Smith.

HB 586-FN, relative to siting and permitting of solid and hazardous waste disposal facilities; to forfeiture of property for solid waste management violations; and to low-level radioactive waste management.

HB 59, changing the name of the New Hampshire vocational-technical college education system.

HB 136-FN-A, relative to education in unorganized places.

HB 226-A, relative to state-issued bonds for college tuition.

HB 640-FN, to permit the Wakefield school district to withdraw from the Rochester authorized regional enrollment plan.

HB 41, clarifying the authority of municipalities to form districts for the purpose of hiring municipal prosecutors.

HB 120-FN, increasing the amount available for suggestion and incentive awards to state employees.

HB 376-FN, licensing physician assistants.

HB 616-FN, relative to the public utilities commission.

HB 19, regarding the use of the hazardous waste cleanup fund.

HB 57-FN-A, appropriating funds to the department of agriculture to continue work on the Eastern States Building.

HB 115-FN, reducing to a violation the misdemeanor offense of driving after revocation or suspension when it is a first offense and unrelated to DWI or reckless driving.

HB 147-FN, relative to commercial driver licensing.

HB 279-FN-A, relative to the purchase of the Ralph Brown property in Rye and making an appropriation therefor.

HB 651-FN, relative to adoption fees and information about birthparents.

HB 755-FN, establishing a committee to study shoreline protection.

HB 763, authorizing the Salem and Derry school districts to establish a debt retirement fund.

HB 113-FN, to define certain police trainers as permanent policemen for retirement system purposes.

HB 594-FN, to reinstate medical and surgical benefits for certain retired employees and relative to health care coverage for retired employees of political subdivisions.

HB 737-FN, amending the joint-state capitpl city planning commission.

HB 262-FN, extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a DCYS placement service and diversion study committee.

HB 571-FN, establishing standards for mediators.

HB 584, relative to bad checks.

HB 609-FN, relative to jury selection procedures.

HB 658-FN, relative to hearings on transfers to the superior court of cases where the alleged offender is a juvenile.

HB 677, relative to modification of child support guidelines and establishing a study committee to examine corporal punishment in and the regulation of child care agencies and schools.

HB 752-FN, relative to domestic violence.

HB 238, permitting competent adults to nominate their own guardians in case of future incapacity.

HB 24-FN-A, relative to the bicentennial commission.

HB 590-FN, relative to submitting municipal financial reports to the department of revenue administration.

HB 644, relative to the optional veterans' exemption.

HB 103-FN, relative to motor vehicle laws.

HB 129, establishing fees for reviewing plans to dredge and creating new classified positions and making an appropriation therefor.

HB 327-FN-A, relative to the rate of and transfers under the real estate transfer tax.

HB 330-FN-A, relative to exemption from the gasoline tax and state license plates.

HB 422-FN-A, relative to lowering the rate of the business profits tax, and relative to establishing a committee to study the business profits tax.

HB 532-FN, establishing a committee to study the revenue structure in New Hampshire.

HB 764-FN-A, relative to state revenues and appropriations.

HB 88, relative to weights and measures.

HB 104-FN, relative to common and contract carriers.

HB 434, relative to franchising and regulation of cable television systems and making an appropriation therefor.

Senator Dupont moved to adjourn.

Adopted.

Adjournment

MAY 9, 1989

The Senate met at 10:30 a.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord look favorably upon us as we try to bring the ball down to the wire in a winning manner! Bless us, for the time is short and the needs are many. *Amen*

Senate Clerk led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

NOTICE OF RECONSIDERATION

Senator Bond served notice of reconsideration of HB 556 relative to the board of governors, and administrative board, and the commissioner of the department of postsecondary vocational-technical education.

Senator Dupont served notice of reconsideration of HB 561 relative to the protection of public funds.

Senator Dupont served notice of reconsideration of HB 465 changing the name of the solid waste management council.

Senator Bond served notice of reconsideration of HB 492 relative to recreational campgrounds and camping parks.

Senator Bartlett served notice of reconsideration of HB 422 relative to lowering the rate of the business profits tax and relative to establishing a committee to study the business profits tax.

Senator Bartlett served notice of reconsideration of HB 103 relative to motor vehicle laws.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HOUSE MESSAGES

HOUSE CONCURS

SB 30-FN, establishing a committee to study all aspects of the effect on consumers of emerging changes in the financial services industry.

SB 32-FN, relative to drug offenses.

SB 39, establishing a speed limit for power boats on Spofford Lake.

SB 40, requiring the department of safety to post headway speed limits on the Connecticut River.

SB 84, to require drivers on motorcycles to wear eye and face protection.

SB 95-FN, establishing a minimum fine for violating the boat decibel limits.

SB 125, adopting the uniform trade secrets act.

SB 178, relative to campaign financing.

SB 189, relative to the study of New Hampshire commuter rail service.

HOUSE NONCONCURS

SB 3-FN, relative to child passenger restraints in motor vehicles.

SB 112, establishing a study committee to examine corporal punishment in and the regulation of child care agencies and schools.

SB 114, relative to speed limits on certain roads.

SB 140-FN, relative to elderly property tax exemptions and increases in the assessed valuation of real estate.

SB 141-FN, providing business profits tax credits for the sale of certain conservation and recreation land.

SB 157-FN, relative to special license plates for solid waste haulers.
SB 173, adopting uniform commercial code article 2A - leases.
SCR 1, amending joint rule 4-A(b).

COMMITTEE REPORTS

HB 100-A, making appropriations for capital improvements.
Ought to Pass with Amendment. Senator Torr for the committee.

SENATOR TORR: HB 100, the capital budget, strives to maintain the integrity of the existing structures by providing the necessary improvements that meet the criteria for capital investments. HB 100 adds to the State's capital assets by funding new structures deemed necessary by the committee. Also the bill plans for future growth and construction to address the needs of the State within available revenue. I will walk you through the capital budget outlining some of the major changes and some of the major changes that the Senate concurred with the House. In the administrative services, the renovation of Spaulding Hall, which will be the future home of the Department of Education, there is \$1.8 million. In environmental services, the revolving loan fund match of \$7.2 million, which is the same as the House recommended. In the executive department, state planning \$18 million for the land conservation trust. In many of the areas such as the Fish and Game, it is general upgrade of the facilities to maintain those facilities in a standard that needs to be appropriate. Revenue administration, computer hardware and software were included in the capital budget in the amount of \$2.7 million. This was a change from the House's position. The House wasn't aware of those needs at the time of their capital budget's adoption. A continuing upgrade of the airport facilities within the state of New Hampshire was addressed. This comes up to a grand total \$78,000,935. Broken out that is \$12 million of federal funds, \$2.2 million of other funds, \$60 million of general fund bonding, \$2 million of highway fund bonding, \$226,000 of bonding for the Fish and Game, and \$1.1 million for bonding for other. I would entertain any questions at this time.

Amendment to HB 100-A

Amend the bill by replacing all after the enacting clause with the following:

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies and branches named:

I. Adjutant General

A. Replace 40 overhead doors*	\$65,000
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Less federal	-48,750
Net appropriation subparagraph A	16,250
B. Boiler replacement-Manchester*	93,000
C. Roof replacements*	185,000
D. Runway repairs*	164,000
Less federal	-123,000
Net appropriation subparagraph D	41,000
E. Air handling and environmental control*	55,000
Total state appropriation paragraph I	\$390,250
II. Administrative Services	
A. Londergan Hall renovations	\$145,000
B. Repair State House dome	250,000
C. Spaulding Hall renovations	1,844,000
D. D.I.S. UPS power*	525,000
E. Design state house annex air conditioning	110,000
Total state appropriation paragraph II	\$ 2,874,000
III. Attorney General	
A. Computer system*	\$277,208
Total state appropriation paragraph III	\$277,208
IV. Environmental Services	
A. Water resources division	
1. Small watershed programs	\$100,000
2. Winnepesaukee River flood reduction project	\$ 6,400,000
Less Federal (75 percent share under PL 99-662)	-4,800,000
Less appropriation made in 1985, 415:7 and 8 for replacement of Railroad Bridge over Winnepesaukee River in Tilton	-400,000
Net appropriation subparagraph A(2)	\$ 1,200,000
3. Rechannelization of Stag Hollow Brook	25,000
Total state appropriation paragraph IV	\$ 1,325,000
(The \$1,200,000 appropriation in subparagraph IV, A, 2 represents the maximum amount of new state funds which shall be made available for the Winnepesaukee River flood reduction project.)	
V. Health and Human Services	
A. New Hampshire Hospital	
1. Laundry dryer equipment*	48,000
Total subparagraph A	\$48,000
B. Laconia Developmental Services	
1. Roof replacement	\$96,600
2. Replace steam lines	\$92,000
Total subparagraph B	\$188,600
C. Glenclyff Home for the Elderly	
1. Roof replacements	\$65,000

2. Rewire Adams Hall and Brown Building	350,000
3. Replace poles and wiring to Hydro House	100,000
4. Generator replacement	75,000
Total subparagraph C	\$590,000

D. Children and Youth Services

1. Asbestos abatement-Philbrook and YDC	\$450,000
2. Design for renovation Pinecrest Cottage - YDC	48,000
3. Install loading dock lift-YDC	125,000
4. Rewire Administration Building-YDC	36,000
5. Air handling-Philbrook	40,000
Total subparagraph D	\$699,000

Total state appropriation paragraph V \$ 1,525,600

VI. Liquor Commission

A. Point of sale equipment/emergency power for computers*	\$ 2,800,000
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Total state appropriation paragraph VI \$ 2,800,000

VII. Port Authority

A. Study, design, consulting, permitting-Port of Portsmouth Expansion	\$100,000
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Total state appropriation paragraph VII \$100,000

(The funds appropriated in this paragraph shall not be spent, obligated, or encumbered until such time as the port authority has developed an action plan and received the approval of such plan from both the capital budget overview committee and the governor and council.)

VIII. Postsecondary Vocational-Technical Education

A. NHVTC - Manchester

1. Phase I rehabilitation of Knox Building	\$ 1,200,000
Total appropriation subparagraph A	\$ 1,200,000

B. NHVTC - Claremont

1. Library remodeling and renovation/renovation of existing machine shop into business and computer center	\$600,000
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Total appropriation subparagraph B \$600,000

C. NHVTC - Nashua

1. Drainage and Dredging	\$50,000
2. Auto body repair spray booth	85,000
Total appropriation subparagraph C	\$135,000

D. Office of Commissioner

1. Remove and replace various fuel tanks	\$386,000
Total appropriation subparagraph D	\$386,000

E. NHTI - Concord

1. Reconstruct pumping station*	\$26,000
Total appropriation subparagraph E	\$26,000

F. NHVTC - Stratham	
1. Computer/drafting teacher stations*	\$62,000
2. CNC machine center *	\$50,000
Total appropriation subparagraph F	\$112,000
Total appropriation paragraph VIII	\$ 2,459,000
IX. Resources and Economic Development	
A. Cannon Mountain chair lift	\$800,000
B. Handicapped accessibility-various parks	200,000
C. Bathhouse-Pawtuckaway state park	50,000
Total appropriation paragraph IX	\$ 1,050,000
X. Revenue Administration	
A. Computer hardware and soft ware development	\$ 2,725,508
Total appropriation paragraph X	\$ 2,725,508
(No funds appropriated in this paragraph shall be expended, encumbered, or obligated in any way without the prior approval of the fiscal committee.)	
XI. Transportation	
A. Aeronautics division	
1. Keene Dillant-Hopkins Airport-airport improvements	\$ 5,000,000
Less Federal (FAA)	- 4,500,000
Less Local (Keene)	-250,000
Net appropriation subparagraph 1	\$250,000
2. Mt. Washington Regional Airport-Whitefield and Berlin	\$200,000
Municipal Airport-Berlin/purchase install and maintain	
FAA certified automatic weather observation system #3.	
3 Lebanon Municipal Airport-construct extension of parallel taxiway to runway 25 threshold	\$ 1,730,300
Less Federal	- 1,557,270
Less Local	-86,515
Net appropriation subparagraph 3	\$86,515
4. Skyhaven Airport	
(a) Lighting project	\$492,410
Less Federal	\$ -443,169
	\$49,241
(b) Aircraft parking apron	\$455,590
Less Federal	\$ -410,031
	\$45,559
Net appropriation subparagraph 4	\$94,800
Total appropriation subparagraph A	\$631,315
Total state appropriations paragraph XI	\$631,315
Total state appropriation section 1	\$ 16,157,881

*To Be 5 Years Bonds.

2 Appropriation; University System of New Hampshire. The sums hereinafter detailed are hereby appropriated for the projects specified:

A. Asbestos Removal	\$300,000
B. Life safety and handicapped	300,000
C. Renovation academic buildings-Keene	1,800,000
D. Design Biological Lab Bldg/ shelving-Dimond Library-UNH	1,900,000
E. Renovation/rehabilitation- Mason Library-Keene	1,200,000
F. Cultural Arts Building-Plymouth	9,000,000
Less Other (Donations, grants, etc.)	-1,500,000
Net appropriation subparagraph F	\$7,500,000
G. NH public television network equipment replacement	300,000
Total state appropriation section 2	\$ 13,300,000

3 Appropriation; Departments of Safety and Transportation. The sums hereinafter detailed are hereby appropriated for the projects specified:

I. Safety

A. Design/demonstration of radio system	\$200,000
Total appropriation paragraph I	\$200,000

II. Transportation

A. Design John O. Morton Bldg. addition	\$380,000
B. Replace underground fuel tanks	800,000
C. Bank stabilization Merrimack River- Morton Building	483,000
D. Replace burners-Morton Building	45,000
E. Digitizing USGS base maps	450,000
Total appropriation paragraph II	\$ 2,158,000
Total state appropriation section 3	\$ 2,498,000

4 Appropriation; Fish and Game. The sums hereinafter detailed are hereby appropriated for the projects specified:

I. Fish and Game

A. Repair/replace waterlines	\$180,000
Less federal	-135,000
Net appropriation subparagraph A	45,000
B. Pool/raceway enclosures	\$167,000
Less federal	-125,250
Net appropriation subparagraph B	41,750
C. Repair/replace concrete pools and raceway	\$558,000
Less federal	-418,500
Net appropriation subparagraph C	139,500
Total state appropriation paragraph I	\$226,250
Total state appropriation section 4	\$226,250

5 Expenditures; General. The appropriation made for the purposes mentioned in sections 1, 3 and 4 and the sums available for those projects shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 228.

6 Expenditures; University System of New Hampshire.

I. The appropriations made for the purposes mentioned in section 2 and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire. All contracts for the construction of all or any part of said building or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least once in each of 2 successive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought within the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less than 30 days prior to the date the bids will be received. All conditions considered, wherever possible, it is recommended that the services of New Hampshire architectural and construction firms be considered within the discretion of the trustees.

II. The appropriations made in section 2 are available for all costs incidental to the completion of the projects enumerated including the costs of the services of architects, engineers, and other consultants of such kind and capacity as the university system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These moneys shall be spent under the direction of the university system board of trustees.

III. If, in the judgment of the trustees of the university system, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder; or, if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

IV. The board of trustees of the university system has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the low bidder or with the 3 lowest bidders for a contract for the construction upon terms considered most advantageous to the university. If only one bid is received, the board of trustees may negotiate a contract for the construction on terms considered most advantageous to the university system and to the state. Any authorization contained in

this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

7 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, 3 and 4 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$32,182,131 and for said purposes may issue bonds and notes in the name and on behalf of the the state of New Hampshire in accordance with the provisions of RSA 6-A.

8 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 2 shall be made when due from the general funds of the state.

II. The payment of principal and interest on bonds issued for projects in:

(a) Section 3 shall be made from the highway fund.

(b) Section 4 shall be made from the fish and game fund.

9 Liquidation. The state treasurer is authorized to deduct from the fund accruing to the university under RSA 187-A:7, or appropriation in lieu thereof, for each fiscal year such sum as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued for the purposes of section 2.

10 Land Acquisition. Any land acquired under the appropriations made in sections 1, 3 and 4 except such land, if any, as may be acquired under the appropriation for the division of water resources, shall be purchased by the commissioner of transportation with the approval of governor and council.

11 Architectural Requirements. No new building authorized by this act shall be constructed without meeting life safety code requirements, handicapped architectural barrier-free code requirements and energy conservation code requirements.

12 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal fund which are, or become available for any project under sections 1, 3 and 4 beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 7 shall be reduced by the same amount.

13 Transfers. The individual project appropriations provided in sections 1, 3 and 4 of this act shall not be transferred or expended for

any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by governor and council to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital budget oversight committee is obtained.

14 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1, 3 and 4 is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such project and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced.

15 Increase Bond Authorization; Dam Maintenance Fund. Amend RSA 481:31 to read as follows:

481:31 Bonds Authorized. To provide working capital for initiation of the fund established in RSA 481:30, the state treasurer is hereby authorized to borrow upon the credit of the state the sum of [\$3,200,000] **\$4,200,000** and for said purpose shall issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A.

16 Appropriation; State Water Pollution Control Revolving Loan Fund. The sum of \$7,200,000 is hereby appropriated for the biennium ending June 30, 1991, to the department of environmental services for the purpose of providing a 20 percent state matching grant for the federal funds to be deposited into the state revolving loan fund established by RSA 149-B:12. This appropriation is an estimate of the 20 percent required match for this biennium. In the event that the federal funds for this purpose are decreased, the state appropriation shall be reduced in proportion to the amount the federal funds have been decreased.

17 Bonds Authorized. To provide funds for the appropriation made in section 16 of this act, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of \$7,200,000, and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

18 Payments. The payment of principal and interest on bonds and notes issued for the project in section 16 shall be made when due from the general fund.

19 Appropriation; Supreme Court. The sum of \$396,000 is appropriated to the supreme court for the preparation of preliminary de-

sign and final design and construction documents for a new facility for the Rockingham county superior and probate courts. Design of the project shall be done utilizing the generic plans developed for the Hillsborough county courthouse at Nashua. Design of this project shall be done in such a way as to allow for construction to be done in stages. Preliminary design documents must receive the approval of the capital budget overview committee, prior to the preparation of final design and construction documents. This appropriation shall be a charge against the court facilities escrow account established pursuant to RSA 490:26-c.

20 Appropriation; Executive - State Planning. The sum of \$18,000,000 is hereby appropriated for the biennium ending June 30, 1991, to the office of state planning for purposes of the land conservation fund.

21 Bonds Authorized. To provide funds for the appropriation made in section 20 of this act, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of \$18,000,000, and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A; provided that bonds or notes issued for \$8,000,000 of the appropriation shall not be issued until on or after November 1, 1989, and bonds or notes issued for the remaining \$10,000,000 of the appropriation shall not be issued until on or after November 1, 1990.

22 Payments. The payment of principal and interest on bonds and notes issued for the project in section 20 shall be made when due from the general fund.

23 Appropriation; Renovation of Rochester Post Office as a District Court Facility. 1987, 399:41, I as amended by 1988, 224:32 is repealed and reenacted to read as follows:

I. The appropriations made in 1985, 44:1, IV as amended by 1986, 211:30 and 1988, 224:31, for purchase and enhancements of the federal district courthouse - Littleton, and purchase and enhancement of the federal post office, N. Main St., Rochester; shall not lapse and, as of July 1, 1989, the remaining available funds from this appropriation may be used to renovate the Rochester post office as a district court facility.

24 Port Authority; Dredging. Amend 1987, 399:1, VII to read as follows:

VII. Port Authority

A. Dredging pier (N.W. end)	\$66,000
B. Dredging of Portsmouth Harbor and the Piscataqua River	18,700,000
Less federal	-14,000,000
Net appropriation paragraph B	4,700,000
Total state appropriation paragraph VII	\$ 4,766,000

(The appropriation for the water improvement project in paragraph VII, B shall be used to widen the maneuvering area between the 2 vertical lift bridges from 600 feet to a maximum of 1000 feet[;] **and** widen by 100 feet the northern limit of the channel adjacent to Badgers Island[; and widen the southern limit of the channel at the eastern end of Goat Island southeast of Henderson Point from 400 to 550 feet]. Section 21 of this act contains additional costs associated with this project.

25 Appropriation Increased. Amend RSA 188-E:10 to read as follows:

188-E:10 Construction Appropriation. The treasurer of the state of New Hampshire is hereby authorized to make available to the state board of education for purposes of constructing regional vocational education centers an amount not to exceed [\$57,500,000] **\$63,400,000**. This appropriation shall be nonlapsing. Authorization for expenditures of such funds shall be made by the state department of education to the treasurer in accordance with this chapter. The treasurer is authorized to issue bonds in accordance with the provisions of RSA 6-A for the purpose of funding this appropriation.

26 Restriction on Construction Appropriation. The amount of \$5,900,000 of the total \$63,400,000 appropriated in section 25 of this act shall be used for the Alvirne High School in Hudson.

27 Lapse Dates Extended.

I. The appropriation made to the department of corrections in 1988, 224:1, I, A for phase V prison construction, is hereby extended to June 30, 1991. The following supplemental program is authorized from the balance remaining in said appropriation: Grasmere Women's facility - security renovations, interior renovations including necessary furnishing and equipment - \$500,000.

II. The following appropriations are hereby extended to June 30, 1990:

(a) The appropriation made to the veterans home in 1987, 399:1, XII, A, for the 50-bed nursing home.

(b) The appropriation made to the department of health and human services in 1987, 399:1, V, A, for TCF - equipment and furnishings for the New Hampshire hospital.

(c) The appropriation made to the department of health and human services in 1985, 409:23 as amended by 1987, 399:22, for the community care facility.

(d) The appropriations made to the secretary of state in 1987, 399:1, X, A, for addition to records and archives building; and 1987, 399:1, X, B, to insulate and replace roof covering, archives building.

(e) The appropriations made to the judicial branch in 1987, 399:1, VI (A)(2) for handicapped access of the Carroll county supe-

rior court building and in 1987, 399:1, VI, B for the construction of the Hillsborough county courthouse.

(f) The appropriations made to the port authority in 1987, 399:1, VII, A for dredging pier, and in 1987, 399:1, VII, B, for dredging of Portsmouth Harbor.

(g) The appropriation made to the department of health and human services in 1987, 399:1, V, B for design, renovations-spaulding cottage-YDC.

(h) The appropriation made to the department of corrections in 1987, 399:1, III, B, for Phase IV-B prison construction.

(i) The appropriations made to the department of health and human services in 1987, 399:1, V, C (3)(4) and (5) relative to boiler replacement, window replacement, and the laundry sprinkler system at the Glenclyff home for the elderly.

(j) The appropriations made to the aeronautics commission in 1981, 565:1, II as amended by 1983, 423:17 for the skyhaven airport and the skyhaven audit fund.

(k) The appropriation made to the aeronautics commission in 1969, 505:1, III(f) and 1972, 62:5 as amended by 1985, 400:5, III(a) and 1987, 399:45, I for Manchester airport-land acquisition and obstruction removal.

(l) The appropriation made to the aeronautics commission in 1978 49:1, III, A(1) as amended by 1981, 565:14, III and V(c), 1983, 423:19, and 1986, 211:16 for runway construction and obstruction removal at the Keene, Dillant-Hopkins airport.

(m) The appropriation made to the department of fish and game in 1987, 399:19, for the new headquarters facility, regional offices, and computer system.

(n) The appropriation made to the aeronautics commission in 1979, 435:1, III, E as amended by 1983, 423:16 and 1986, 211:14, for the Skyhaven airport.

(o) The appropriations made to the department of resources and economic development in 1987, 399:1, IX G and I, for Moose Brook-sewage and the Hampton bath house.

(p) The appropriations made to the department of transportation in 1987, 398:1, I-V for design and construction documents for certain buildings at New Hampshire hospital and the Medical Examiner Lab Facility.

28 Effective Date.

I. Section 27 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 1989.

Amendment adopted.

Senator Torr offered a floor amendment.

SENATOR TORR: I would like to have you entertain the floor amendment which is the extraction from the capital improvements program of the Winnepesaukee dredging project.

SENATOR KING: As you all know, fellow Senators, this project has been in the news quite a bit lately and it is a very controversial project. It spends \$1.2 million of state money and in addition, it makes us responsible for any expenses over and beyond the federal and state monies that are allocated which the project will cost. There is a very large majority of people who feel this is an unnecessary project. In fact, the Army Corps of Engineers study itself indicates that 85 percent of the problem can be solved merely by controlling the dam and the flow of the water in the river. It is a \$1.2 million expenditure that is unnecessary and I would urge the senate to remove this from the capital budget.

SENATOR TORR: Senator King, isn't it true that this isn't a final assessment from the Army Corp of Engineers so this may not be the true cost of that project?

SENATOR KING: That's right. The funds that are allocated, it is not certain that that is what the project is going to cost and any overruns in that project will have to be taken up by the state of New Hampshire.

SENATOR JOHNSON: Senator King, you mentioned the figure \$1.2 million, but I don't see that reflected on the floor amendment?

SENATOR KING: I'll defer to Senator Torr on that.

SENATOR TORR: What you see in the amendment is the extraction of the Winnepesaukee dredging project, so therefore what remains, remains in that division as far as the capital project is concerned, the Stag Hollow Brook rechannelization and the Small Watersheds program. So it basically reduces that budget down to \$125,000.

SENATOR NELSON: Senator Torr, did we put some language in that piece of legislation that said, in fact, that we would not allow any spending beyond that particular amount of money to control exactly the problem to which Senator King referred?

SENATOR TORR: In the original bill, HB 100 amended by the Senate Capital Budget committee, there was language which puts the cap at \$1.2 million. There is still a strong concern by the committee members that that now may not be observed by the Army Corp of Engineers because, in fact, we are dealing with a federal bureauc-

racy and you know how the federal bureaucracy works. They don't know any limitation as far as spending is concerned.

SENATOR NELSON: Since when does the federal government tell us how much to spend if, in fact, this legislature caps the money?

SENATOR TORR: Senator, I am very pleased to have that question because I have run into the same problem on the East-West Highway where the federal government is dictating over the wishes of the State of New Hampshire as to where the routing of Route 4 would go. I think that may be a prime example of what we have dealing with federal government, the State being overridden by the federal government. I really don't agree with that. I think that states should enjoy the sovereignty of their state and have the ability to dictate what they want to do for the future.

SENATOR NELSON: Senator Torr, isn't it true that if the State of New Hampshire does not, in fact, address this problem and fix it this year that we will no longer be eligible for the \$14 million. We won't have another opportunity to take care of this project?

SENATOR TORR: It is my understanding that that statement is true. It is my understanding that Governor Sununu asked the Army Corp of Engineers to preserve this money to this year so that there may be an attempt to provide for the dredging of the Winnepesaukee river basin. If in fact, we don't act favorably on it this time, there is a good likelihood that there will not be an opportunity again in the future.

SENATOR HEATH: I think I know what the outcome of this vote will be. I went down to draft an amendment myself and I had to stand in line. They had several copies of the amendment backed up and so I have not drafted my own amendment because that would be a waste of time. But I have been watching this for four years, I think it is four years when we had the 100 year Franklin-Tilton flood. These people grabbed something off the shelf, and these are people that have never met a river that they liked. They believe that every one should be a smooth round channel right to the ocean. And I am glad that this money will not be available. We will not only be saving \$1.2 million that we can use for better purposes, I'd like to see it returned to the taxpayers, but I am sure some of you have other uses for it today, but nonetheless it won't go to a project that will harm the environment. It will essentially make a mess of one of our beautiful assets in this state that draws tourism. But we will be sending back \$5 million to the federal government and they have a

problem that is enormous and we will be contributing to balancing the budget in Washington as well. So I see this as a three for, we save a river, we have better use of that money here and certainly Washington doesn't need the extra expense and they can help balance their budget with that contribution today. So I urge you to save the Winnepesaukee River and to save all of this funding as well as the future liabilities and go with this amendment. I think it will be something that you will remember with pleasure in the years to come when you see that river.

SENATOR MC LANE: Senator Nelson, if the Winnepesaukee river basin project was stopped at the cap that was originally put on, what good would it do to do three quarters of it and not finish it?

SENATOR NELSON: That is an assumption that you are making. This is a study that has been completed and there is so much misinformation from what I can gather being circulated. We saw a study that was completed in 1988, now they are suggesting there was a study in 1984. So to directly answer your question, I am just going to go with what I said at first.

SENATOR MC LANE: I read in USA TODAY that this was the most important issue in New Hampshire. You know those little boxes that they have. And one of their points was about the eagles nesting or attempting to nest and living in the winter along that. My question to you is, do you think that there are national environmental interests which have not been considered by the Army Corp of Engineers?

SENATOR NELSON: I don't know what the Army Corp of Engineers should or shouldn't address, because I am not over supervising them. But I do know this, if in fact it is a problem then the national environmentalists, they should have been in the state at the hearing, making it perfectly clear to us that in fact we would injure these endangered species, instead of writing a small article in NEWSWEEK. They should have had it on Channel 9 maybe.

SENATOR PRESTON: I am really not interested in answering a lot of questions, either, but I would just like to make a statement on this. We had a hearing the other day, a public hearing, and I didn't hear all these issues that were raised, but I know over this past weekend, I had a total of 11 calls and two notes left at my door that were verbatim as to what was desired. And one was, we request \$20 million for the land trust and I said I think \$18 million was in the capital budget and the other was to take \$1.8 million out of that

budget that addresses Winnepesaukee dredging and I asked four of the people who called if they could explain the project to me and they really didn't know but they knew it wasn't a good project. I just want to state that, and I am not meaning to chastise some of the Senators because I know you are voting your conscience, but this project has been on the line for 10 to 15 years and dollars were heretofore an obstacle, but they are not today. And I have been told by people, experts that we rely on, that the environmental impacts have been addressed, and that they worked with Fish and Game on each and every one of these, and I can't speak to the eagle's nest and protection, but I will say this to you. That if the mentality that has prevailed over the weekend, impacts legislators, if it impacted them the same way in the forties and fifties, the Franklin-Tilton reservoirs would never have been constructed and that there would have been severity of floods in Manchester, Concord, Lowell, Lawrence and Nashua would never have been prevented in the last three decades, had we responded politically like this. We are sitting here to establish some logic and policy that affects the entire area of the state. If Mr. Downing, of Water Resources and those tell us that if the Corp of Engineers enforced what they wanted to do upon us, it would have a detrimental impact on recreation on Winnepesaukee that the Corp says you will keep that lake drained down a foot less all the time and be prepared for floods. Our experts within the state say we don't want to do that. We have control under this project that we will control and manage those dams in specific seasons to address the flood levels. Not keep it drained all the time. I guess my message is, too, I understand you guys have the votes, but a dozen calls on a weekend shouldn't change what we have established in committee at a public hearing by folks well intended that are apt to call, but we have people interested in land trust and we have addressed it. But just to react over the weekend on the some of the votes that are sitting before us and change, folks it ain't right. Have the courage to stand up on policy and look at something for the entire state.

SENATOR FREESE: With all due respects to the comments we have just heard from Senator Preston, the city of Laconia is the biggest area of my district. And the Winnepesaukee River runs right down through the center of the city. I have been contacted, as many of you have this past week, over the weekend. I was away but my little black box took care of fourteen of those calls which was a chore to write up and read after I got home and I have had at least twenty calls since then. All of which hope that we could take this subject matter of the Winnepesaukee dredging out of the present capital budget. I received one call this morning to ask me if I would consider supporting keeping it in the budget. And I didn't discuss the

other calls that I had and it turned out to be "Well I guess maybe it isn't too important. I've got a development that this would help to protect but I think I can go forward with my plans anyway". So I hope you will support Senator Torr's amendment that is before the body, I am certainly going to support it and ask the rest of you to do so also.

SENATOR HEATH: Senator Preston, having heard you speak to what was the equivalent of a knee jerk reaction in a quick manner over the weekend that changed some people around, and I do not include myself who has worked against this project since its inception perhaps not loud enough and long enough as it turns out, but I want to show you that that is not limited to this side. So would you believe that I have in my hand a note from the Executive Councilor Ray Burton who says that "I have followed the Winnisquam River dredging project for many years". Well, as you know, it is not the Winnisquam river dredging project and would you believe that this very well is the same kind of last minute lobbying that you were suggesting that the other side of the question is engaged in?

SENATOR PRESTON: That is what I refer to as an affirmative interrogatory. If you say it is, it is Senator.

Floor Amendment to HB 100-A

Amend paragraph IV of section 1 of the bill by replacing it with the following:

IV. Environmental Services

A. Water resources division

1. Small watershed programs	\$100,000
2. Rechannelization of Stag Hollow Brook	25,000
Total state appropriation paragraph IV	\$125,000

Amend the total state appropriation section 1 of the bill to read as follows:

Total state appropriation section 1	\$14,957,881
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Amend the bill by replacing section 7 with the following:

7 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, 3 and 4 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$30,982,131 and for said purposes may issue bonds and notes in the name and on behalf of the the state of New Hampshire in accordance with the provisions of RSA 6-A.

Senator Preston requested a division vote. Senator Magee seconded.

15 YEAS

7 NAYS

Amendment Adopted

Senator Dupont offered a floor amendment.

SENATOR DUPONT: You have in front of you another floor amendment and any of you who have driven the Spaulding Turnpike after you go through the Rochester toll gate, there is a railroad crossing that is a fairly hazardous spot on the turnpike because of the trucks stopping for the railroad crossing. What we have is a situation where the two remaining firms that are served by this rail siding have agreed to relocate their facilities to another part of town and the Department of Transportation, in light of that rail crossing plus six other street crossings in the city of Rochester including one other bridge that can be eliminated, have agreed that it is to the best interest of the state to go along with the transfer of funds from the Nashua-Bennington railroad to help fund the construction of a railroad siding to serve these two companies at another location. So what we are getting for this money is the elimination of seven road crossing that presently have rail track running across them including the Spaulding Turnpike.

Floor Amendment to HB 100-A

Amend the bill by replacing section 28 with the following:

28 Transfer of Funds. The sum of \$250,000 from the Nashua-Bennington railroad rebuilding appro. acct. no. 030-096-9940-093, established by 1985, 350:4, IV, may be used for the development of Rochester industrial railroad sidings.

29 Effective Date.

I. Section 27 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 1989.

Amendment adopted.

Senators King and Currier offered a floor amendment.

SENATOR CURRIER: The reconstruction of the Northfield-Tilton railroad bridge was authorized by chapter 415:7 in 1985. The sum of \$400,000 was authorized at the time with the design already now completed by the New Hampshire Department of Transportation and project bid for construction was undertaken and all bids came in over estimate in excess of the funding authorization. A recent review

of the project indicates an additional \$185,000 is needed to construct this project. This amendment basically transfers funds from the Nashua-Bennington railroad rebuilding appropriation to increase the Northfield-Tilton rail road bridge appropriation by \$185,000. Both of these appropriations are New Hampshire DOT rail road projects and are non-lapsing appropriations.

SENATOR TORR: Senator Currier, an interesting question, in the Winnepesaukee dredging project part of the funding mechanism was the extraction of \$400,000 from the railroad bridge over the Winnepesaukee River in Tilton. I have a two part question basically. Is this the same bridge that you are trying to add additional funds too?

SENATOR CURRIER: I believe so, Senator, which means I need another floor amendment.

SENATOR TORR: Aren't you quite pleased that we extracted that Winnepesaukee dredge project so you could maintain your possibly \$585,000?

SENATOR CURRIER: I believe so, Senator.

SENATOR TORR: Senator Bartlett, if you approved the floor amendment it will make a total appropriation for that bridge a total of \$585,000. The question that I was going to ask was that as a member of the House appropriations committee a few years back, we appropriated \$400,000 for the Tilton bridge because that was one of the main problems on the Winnepesaukee River because of the low elevation of it, there are limbs and branches of trees are able to clog the river and therefore I would have to kind of support Senator Currier's amendment to take and do this reconstruction of that bridge.

Floor Amendment to HB 100-A

Amend the bill by replacing section 28 with the following:

28 Transfer of Funds. The sum of \$185,000 from the Nashua-Bennington railroad rebuilding appropriation, account no. 030-096-9940-093, established by 1985, 350:4, IV, is hereby transferred to the Northfield-Tilton railroad bridge appropriation, account no. 030-096-9944-090, established by 1985, 415:7, increasing the total amount appropriated to such account to \$585,000.

29 Effective Date.

I. Section 27 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 1989.

Amendment adopted.

SENATOR PODLES: I would like to comment on the land conservation fund. Judging by the telephone calls I received, I sense a strong positive attitude of good will toward this land conservation program from the public and also my district, and I would like to go on record supporting the bond authorization of \$18 million to the office of state planning for purposes of the land conservation fund. However, I feel a strong obligation to tell you that I would like to see some of that money directed to the southern part of the state which up to now has been directed to the North Country. The Merrimack River Watershed Council would like to acquire some land along the Merrimack river basin which borders such communities as Hooksett, Manchester and on to Nashua and they need the help. The Merrimack River is the natural resource for a large number of communities. Also the Piscataquam River valley shed has just purchased 23 acres of land by issuing a bond for \$800,000. And they would like very much to acquire an additional 16 acres. And they need help. I hope that assistance is provided to these groups.

Ordered to Third Reading.

HB 353, prohibiting the use and operation of ski craft on Canaan Street Lake in the Town of Canaan.

Ought to Pass with Amendment. Senator Bond for the committee.

SENATOR BOND: HB 353 came from the House as a bill to prohibit the use of ski craft or hover craft on the Canaan Street Lake in the town of Canaan. You will find the amendment on page 13. The amendment on the bottom of page 13 and most of page 14 lists numerous bodies of water for which legislation has been filed to ban the use of jet skis. It is hoped that since SB 111 apparently has some difficulty in the House that you will be willing to support this legislation in order that we provide the protection that is needed for these lakes from jet skis.

SENATOR ST. JEAN: Senator Bond, I haven't spent a lot of time up here this session, but I do recall a bill similar to this, I think you mentioned it, SB 111 and it was my understanding that when we debated this on the floor that SB 111 would solve the jet ski problem. All of a sudden, if you go through the list of lakes that are going to be banned for the use of jet skis, you have a whole list of them. Senator, don't you think this is a drastic piece of legislation introduced at the tail end of a legislative session and we ought not to be operating in such a manner?

SENATOR BOND: Senator St. Jean, I believe this is a bill to address the problem which we thought we had addressed with SB 111

before I understand there has been some amendment considered in the House. I am hopeful that before this session is over, we will be able to have resolved the question of jet skis on bodies of water.

SENATOR ST. JEAN: Would you believe the amendment on the House side deals with the whole question of restricted areas that jet skis will not be allowed to go in and the consensus was that they would not be allowed within 300 feet of a shoreline, which I consider to be a pretty good amendment that both sides have given some ground on, and wouldn't you say that that is a good amendment?

SENATOR BOND: I haven't had an opportunity to see that amendment, Senator St. Jean. It is my hope that we will have a conference and will be able to look at that amendment and see how it applies and what its impact is.

SENATOR ST. JEAN: Don't you think that this legislation is a little premature to go and out and out ban jet skis on various lakes at this point?

SENATOR BOND: I would say that this legislation was extremely timely.

Amendment failed.

Senator Bond moved to lay HB 353 on the table.
Adopted.

Senator Bond moved reconsideration of HB 492, relative to recreational campgrounds and camping parks.

Adopted.

Senator Bond offered a floor amendment.

SENATOR BOND: On page 2 the first line of the floor amendment, the word non-commercial it says use. It changes the word that was site. And in paragraph 2:16-14 it takes out the word agricultural events in the line that is seven lines from the bottom -operation of the events or fairs at fairgrounds. These are to correct defects when the amendment was drawn. The amendment as drawn, you will find on page 307 of the Senate Journal from May 4, it doesn't change anything.

SENATOR NELSON: Senator Bond, why are you removing the word agricultural? I didn't quite understand the definition.

SENATOR BOND: I defer to Senator Bass.

SENATOR BASS: The reason for that is that in the previous line agricultural fair is already defined and you don't want to call it. It is an event sponsored by any member of the New Hampshire Fairs Association. So if you put the word agricultural from the previous amendment back into the paragraph you are going to have a conflicting definition.

SENATOR NELSON: Are there different rules or laws governing something that is agricultural as opposed to just a fair?

SENATOR BASS: Not that I am aware of.

Floor Amendment to HB 492

Amend RSA 216-I:1, VII as inserted by section 1 of the bill by replacing it with the following:

VII. "Recreational campground or camping park" means a parcel of land on which 5 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency, excluding recreation camps as defined in RSA 149:20.

Amend RSA 216-I:9, III as inserted by section 1 of the bill by replacing it with the following:

III. Fireplaces shall not be moved.

Amend RSA 216-I as inserted by section 1 of the bill by inserting after section 12 the following new sections:

216-I:13 Partial Exception for Certain Uses of Recreational Vehicles. Except as provided in RSA 216-I:4, II, this chapter shall not apply to the occasional commercial or non-commercial use of recreational vehicles on parcels of lands if the parcels are used for not more than 7 days in any calendar year; however, the owner of the land or the party responsible for the land shall file a statement of compliance with the governing body for the municipality in which the parcel is located, stating the method of compliance with RSA 216-I:4, II, within 7 days prior to the commencement of each use. Nothing in this section shall be construed to limit or modify the authority of local municipalities to enforce local regulations and ordinances relative to zoning and health and safety.

216-I:14 Exception for Agricultural Fairs. Except as provided in RSA 216-I:4, II, this chapter shall not apply to recreational vehicles used in conjunction with events or fairs sponsored by any member of

the New Hampshire Fairs Association. However, the person responsible for the operation of the events or fairs at the fairground shall file statement of compliance with the governing body for the municipality in which the fairground is located, stating the method of compliance with RSA 216-I:4, II within 7 days prior to the commencement of each event. Nothing in this section shall be construed to limit or modify authority of local municipalities to enforce local regulations and ordinances relative to zoning and health and safety.

Amendment adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Bass moved that the bill be put on Third Reading and Final Passage at the present time.

Adopted (2/3 vote)

THIRD READING AND FINAL PASSAGE

HB 492, relative to recreational campgrounds and camping parks.

Adopted.

COMMITTEE REPORTS

HB 200-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990, and June 30, 1991.

Ought to Pass with Amendment. Senator Blaisdell for the committee.

SENATOR BLAISDELL: The budget being presented to you from the Finance Committee report on HB 200 is what the Finance committee believes is necessary to meet state government responsibilities for the ensuing biennium. I'm not going to take a lot of your time, because we were briefed downstairs, with my presentation, but I feel I must inform you about the major items contained in our report. First, you should know that our report contains most of the governor's recommendations. We have included many of the funding levels developed by the House and, of course, most of the Senate's concerns. Many hours of hard work went into the development of this budget. Not to be redundant but tough decisions and compromises and finally we reached a consensus pretty late in the evening. Before I get into the different categories, I guess I would be remiss if I did not thank Charlie Connors and his excellent staff for their

hard work and their dedication. I guess I would have to say thank God for them because anytime you get Hough and Blaisdell in the same room, even though they are on the same side, they still argue like hell. I give them my condolences for what Ralph and I have done over the past year, but I thank them from the Senate Finance Committee and I hope you will forgive us. I am not going to go through the different categories. I went through them downstairs. As you know, Senator Dupont and Senator Torr have section 1 and 2 of the budget which is general government, justice and public protection. Senators Delahunty and St. Jean have resources, protection and development and transportation. And then Senators Podles, Hough and Blaisdell have health and human services, and education. I did give you a brief overview downstairs. I ask you now if you want to address each of the sections, I will be glad to do that. I would hope that if it is section 1 or 2, it would be Senator Dupont or Senator Torr and down the line. I know you must have some questions, but I will tell you we worked very hard, and we had to make some tough decisions. We had to set some priorities, we didn't do everything. But I think that this is a budget that we can go home with and be proud of and hope that we have taken care of the responsibilities of the people of the State of New Hampshire. Again I defer to any questions in the Senate and I will defer them to the different people who had charge of that category.

SENATOR DISNARD: I rise in appreciation in particular the area of education, so that the public will understand that the integrity of the sweepstakes is still there. When one realizes just in building aid and catastrophic aid over the next biennium, it is close to \$9 million additional monies from the general fund. When one realizes that while it may not be general fund money, foundation aid means an increase of \$18 million approximately for the communities to lower taxes or whatever the communities wish to do with this money from \$38 million each year to \$46 and 48 million. Even though it may not be general fund money, it is additional dollars to help the local taxpayers and that doesn't even include the capitation fund which keeps intact the amount of money to help with tuition for veterinarian and medical and optometry. When one considers the tuition and the transportation for vocational education has drastically increased, I'd say we are much better off, and I would like to thank the finance committee.

SENATOR HOUGH: In all deference to the honorable chairman, our respected dean, I would like to bring the body's attention to the fact that it is under his skillful leadership, that we were able to proceed since January in assessing the basic needs of the State of New

Hampshire both in the formulation of the supplemental appropriations bill which finally was passed, and in preparing this document. I, too, would like to compliment the LBA staff, especially Jeff Paterson and Jim Mitchell who worked with me and Senator Podles and Senator Blaisdell in the health and human service, education area. Unlike the general flow of information, you have a document that is all encompassing and highly sophisticated and difficult to understand. Without their expertise, none of us in the policy making position would be able to go forward. And, so too, I would also like to thank Debbie McLeod for the long hours that she worked for the committee and getting home well after we had left for the day and in the morning having what could be perceived at one point as a mess in orderly format for us in the morning. We, as the Senate Finance Committee, conducted our departmental hearings in the first week of March, and in the 18 years that I have served in the House and the Senate, I can think of no time when the Senate Finance Committee had brought the agencies in within days of the time that they had made their presentation to the House Appropriations Committee. And so we started well in advance of the dates of our calendar and we were preparing ourselves and we did our research. I would also add that in the first week of March when we did commence with our departmental hearings, it was simultaneously the same time that our colleagues in the House feeling that the revenues would not maintain themselves in the next biennium suggested 8% cuts. And while I would take issue with any percent cut, because it is not proper budgeting, it did bring to light some of the things that we have assumed responsibility for which we cannot turn our backs on, and in effect, must find the ways and means to support and maintain. But interesting enough, in March the agencies coming to the Senate and we instructed them to address their agency and the budget as presented by his excellency the Governor and not address what the House had requested of them. And they were to a person in support of that level of spending. And through the process as always happens the executive branch of government under the leadership of Governor Gregg came to recognize certain statutory obligations, if you will, that would have to be adjusted. And so incorporated into the document that you have before you are enhancements to what the governor presented to us in his address in February. And at the conclusion of our work, we too held a public hearing and we went all afternoon and into the evening and we heard from Senator Heath relative to the Christa McAuliffe Planetarium and we recognize that this fitting facility will be brought on line and that with the committee that oversees that facility we would need a certain amount of flexibility and we have amended our budget accordingly. And to Senator McLane, I have the list that I wrote on

the Monday that you appeared before us and I would tell you that your continued caring and sensitivity brought us to the realization that we had to properly fund the WIC program, that we had to take care of prenatal and perinatal and child injury prevention and we had to extend the prenatal clinic services into Belknap county, Senator Freese, the only county in the State of New Hampshire, that presently is not served. Senator Podles and I worked in the area of children and youth and we have maintained the diversion program and we have worked with the director to properly fund the settlement with her guarantee that there will some administrative corrections in efficiencies while not letting the youngsters in this state who are in need of service go wanting. And so it is that the dental program is included in this. The university is properly funded. The vocational-technical schools are properly funded. And in the area of education, we fought from 1:00 in the afternoon until late in the evening. And fought is not the word, we had a general discussion. And we understood what the demands upon the state would be and we understood what the communities had looked to the state for support in. And we funded catastrophic education costs, we funded tuition and transportation for the area vocational-technical high schools and we funded our obligations in school building aid. And while I am sensitive to the approach to the Augenblick formula with the good fortunes we have had with the sweepstakes in the last year or two, politics is if nothing else the art of compromise and you must come to realize that we could enhance the foundation level of funding for the next two years in the biennium and there is legislation that is going through the process that will never again allow for sweepstakes surpluses to be held in the state coffer but will be directed to be appropriated through to the local school districts where they belong. And finally, in conclusion, when we get to the area of mental health and mental retardation, you must remember that over the last twenty years, starting from a point when there were 2800 people in New Hampshire Hospital, it had lost its accreditation and for all intents and purposes was a warehouse of human beings, through to today where we have comprehensive community mental health centers in the various parts of the state and we are not only providing the necessary individual case assessment services but we are also providing the group homes and the other supports in the community to allow those among us who are most tragically affected to return to a normal and humane and productive life and so we recognized that we could not turn our back on them. And it is not to the credit of people such as Senators Podles, Blaisdell and Hough, but it is to the credits of people such as Senators Torr and Dupont who have been working with other sections of the budget as well as Senators St. Jean and Delahunty. And it is through their good efforts that they were able

to hold the line on increased spending because they recognized that they had an obligation to fund human services. So again in this on-coming biennium as in the past biennium as we put together a budget package two years ago, it is the Senate's position and it is correctly the Senate's position to recognize the resources that we have at hand and to skew our spending priorities in support of local education, and the human service commitments that we have made and again we have been successful in retarding the growth in general government. Colleagues, I urge you to adopt the Senate Finance Committee's position on the operating budget. It is a position that you can feel comfortable with, recognizing the needs of human beings in the State of New Hampshire, and it is a position that properly addresses the needs.

SENATOR MC LANE: I know that Senator Hough has done a wonderful job and I appreciate his going over my checklist. The dental was important, the 5 percent diversion funds, the prenatal and the WIC program, Ralph, will come back in good things for this state and would have been a fiscal tragedy if we had not passed them. I don't want to compare the State of New Hampshire to the Titanic, because it is absolutely the opposite. Women and children last in the State of New Hampshire and I did notice that the two things on my list that you did not include, one was Head Start and I believe there will be an amendment about that, but the other is the change from 5 percent as passed by the House for AFDC to 2 percent and I do want to take a moment to tell you what this means in the hope that the Committee of Conference will go back to the House statement. In New Hampshire the total benefit available to a needy family from AFDC plus food stamps is 23 percent below the poverty level. The median rent in New Hampshire is about \$589. And we give the mother with two kids, or three kids, or four kids to support \$233 to get an apartment. At that rate an AFDC family of three would have to spend 111 percent of their entire grant including the rent money just to pay for two bedroom housing in New Hampshire. Now let me tell you the difference between the House and the Senate version. The House version might have given these mothers some hope. For a mother with two kids, \$25 a month is what 5 percent meant. That is 83 cents a day or maybe a quarter a kid. The Senate has gone back to \$10 month. Which amounts to about 33 cents a day or about a dime a kid. In the meantime, since 1974, that mother has lost in effective money \$229.00. There are mothers and kids out there that are hurting today. And I want the Senate to know as it sends this budget over that it has tried to do its best by some of our less fortunate, but mothers and kids on AFDC can look at one thin dime.

SENATOR KRASKER: I will be supporting this budget and I would commend all of those who had a part in putting together and providing funding for the human service programs that have gone through my committee. I think is important, while we are giving out accolades, to mention that the programs that are funded within this budget today are programs that came through the Public Institutions Health and Human Services Committee as we stood on the floor in support of these bills and asked for their funding, we are grateful that you acted on the recommendations of our committees to fund these very essential programs. Downstairs, when we were having the briefing, I think there were a few areas where some of us hope that adjustments will be made in a committee of conference and those of you who sit on the committee know what they are. No budget is perfect. No budget includes everything. But I have no problem with supporting this budget today, and I am happy to be able to say that.

HB 0222 PAGE 1 OF 1180 ----- FISCAL YEAR 1990 -----

1.00 APPROPRIATIONS THE FUNDS HEREINAFTER DETAILED IN THIS ACT ARE TO BE PAID FROM THE GENERAL FUND OF THE SENATE FOR THE PURPOSES SPECIFIED FOR THE BRANCHES AND DEPARTMENTS LISTED FOR THE FISCAL YEARS ENDING JUNE 30, 1990 AND JUNE 30, 1991.

01 GENERAL GOVERNMENT
02 LEGISLATIVE BRANCH
01 SENATE

11 PERSONAL SERVICES - PERREPS	400	5,100
12 PERSONAL SERVICES-PERMANENT	365,196	379,380
13 PERSONAL SERVICES-NONPERMANENT	100,000	108,000
20 CURRENT LEASES	40,000	62,500
30 CURRENT TRAVEL	27,500	27,500
40 LEGAL SERVICES AND CONSULTANTS	91,645	99,457
60 BENEFITS	72,000	75,000
70 IN-STATE TRAVEL	24,000	24,000
80 OUT-STATE TRAVEL	1,000	1,000
90 MEMBERSHIP FEES		
92 PRESIDENT'S DISCRETIONARY FUND	1,000	1,000

THE PRESIDENT OF THE SENATE SHALL DESIGNATE THOSE PERMANENT EMPLOYEES THAT SHALL NOT RECEIVE MILEAGE AS PROVIDED BY RSA 1118

TOTALLED SOURCE OF FUNDS FOR	735,241	
SENATE		787,037
GENERAL FUND	735,241	787,037
TOTAL	735,241	787,037

PERMANENT EMPLOYEES AS DESIGNATED BY THE PRESIDENT OF THE SENATE SHALL BE ELIGIBLE FOR EMPLOYMENT AS PERMANENT EMPLOYEES FOR EMPLOYEES INCLUDING MEMBERSHIP IN THE RETIREMENT SYSTEM, MEDICAL, DENTAL AND LIFE INSURANCE COVERAGE, ANNUAL, SICK AND BONUS LEAVE AND ANY OTHER BENEFITS THAT MAY BE GRANTED

THESE SENATE FUNDS SHALL NOT LAPSE AT JUNE 30, 1990 OR JUNE 30, 1991

45 1111 PAGE 2 05 04 89
 00 GENERAL GOVERNMENT
 01 SENATE STAFF BUDGET
 02 HOUSE STAFF BUDGET

----- FISCAL YEAR 1990 -----

----- FISCAL YEAR 1989 -----

10 PERSONAL SERVICES - MEMBERS	2,000	80,100
11 PERSONAL SERVICES - PERMANENT	902,000	902,000
12 PERSONAL SERVICES - NON PERMANENT	135,000	135,000
20 CURRENT EXPENSES	175,000	175,000
21 OFFICE	5,000	5,000
22 TRAVEL	20,000	20,000
23 MEALS	20,000	20,000
24 TELEPHONE	20,000	20,000
25 POSTAGE	20,000	20,000
26 FUEL	20,000	20,000
27 IN-STATE TRAVEL	575,000	575,000
28 OUT-OF-STATE TRAVEL	100,000	100,000
31 SPEAKERS SPECIAL ACCOUNT	500	500
32 CLERKS SPECIAL ACCOUNT	500	500
33 MIN. LEADERS SPECIAL ACCOUNT	500	500
34 MEMBERSHIP FEES	100	100
35 PRINTING AND BINDING	70,000	70,000

* THE SPEAKER OF THE HOUSE SHALL DESIGNATE
 THOSE PERMANENT EMPLOYEES THAT SHALL NOT
 RECEIVE RELEASE AS PROVIDED BY RSA 41:18

TOTAL	2,174,373	2,435,499
ESTIMATED SOURCE OF FUNDS FOR		
HOUSE		
GENERAL FUND	2,174,373	2,435,499
TOTAL	2,174,373	2,435,499

PERMANENT EMPLOYEES AS DESIGNATED BY THE
 SPEAKER OF THE HOUSE SHALL BE ELIGIBLE FOR
 PRINCE BENEFITS AS PROVIDED FOR CLASSIFIED
 EMPLOYEES INCLUDING MEMBERSHIP IN THE
 HOUSE EMPLOYEES' RETIREMENT FUND, LIFE
 INSURANCE COVERAGE, ANNUAL STOCK BONDS
 LEAVE, AND ANY OTHER BENEFITS THAT MAY BE
 GRANTED

THESE HOUSE FUNDS SHALL NOT LAPSE AT THE END
 OF FISCAL YEAR 1990

HB 0200 PAGE 3 05/03/89

01 GENERAL GOVERNMENT
 02 LEGISLATIVE BRANCH
 03 GENERAL COURT - JOINT EXPENSES
 04 GENERAL COUNCIL - JOINT EXPENSES
 05 JOINT EXPENSES - OPERATIONS

10 PERSONAL SERVICES - PERMANENT
 13 PERSONAL SERVICES-NON-PERMANENT
 20 EMPLOYMENT
 30 EMPLOYMENT
 36 CONSULTANTS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 COUNCIL OF STATE GOVERNMENTS
 91 REPAIRS AND ALTERATIONS
 92 CONTINGENCY
 93 MEMBERSHIP FEES
 94 MEMBERSHIP FEES
 95 MEMBERSHIP FEES
 96 GENERAL CONTINGENCY
 98 JOINT ORIENTATION

* THESE FUNDS SHALL NOT LAPSE UNTIL JUNE 30,
 1991

TOTALATED SOURCE OF FUNDS FOR
 JOINT EXPENSES
 03 REVOLVING FUNDS
 GENERAL FUND
 TOTAL

619,156
 41,257
 577,899
 619,156

687,417
 41,257
 646,160
 687,417

126,571
 68,485
 59,111
 59,111
 59,111
 32,700
 32,700
 36,421
 250
 250
 47,500
 47,500
 12,000
 15,973
 16,321
 62,008
 150,000
 220,000
 8,000

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

PERMANENT EMPLOYEES AS APPROVED BY THE
 LEGISLATIVE FACILITIES COMMITTEE SHALL BE
 ELIGIBLE FOR FRINGE BENEFITS AS PROVIDED FOR
 CLASSIFIED EMPLOYEES INCLUDING MEMBERSHIP IN
 THE RETIREMENT SYSTEM, MEDICAL, DENTAL AND LIFE
 INSURANCE, UNEMPLOYMENT COMPENSATION AND BONUS
 LEAVE AND ANY OTHER BENEFITS THAT MAY BE
 GRANTED

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

HB 0200 F-12 4 05/04/89

01 GENERAL GOVERNMENT

02 LEGISLATIVE BRANCH

03 GENERAL COURT

04 VISITOR'S CENTER

05 GENERAL COURT JOINT EXPENSES

06 VISITOR'S CENTER

07 VISITOR'S CENTER

08 VISITOR'S CENTER

09 VISITOR'S CENTER

10 PERSONAL SERVICES - PERMANENT

20 CURRENT SERVICES

30 EQUIPMENT

60 BENEFITS

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

LEGISLATIVE OFFICE BUILDING

GENERAL FUND

TOTAL

TOTAL

PERMANENT EMPLOYEES AS APPROVED BY THE
LEGISLATIVE BRANCH. PERMANENT EMPLOYEES
ELIGIBLE FOR PRIME BENEFITS AS PROVIDED FOR
CLASSIFIED EMPLOYEES INCLUDING MEMBERSHIP IN
THE RETIREMENT SYSTEM, MEDICAL DENTAL, AND
LIFE INSURANCE COVERAGE, ANNUAL SICK, AND
LEAVE, AND ANY OTHER BENEFITS THAT MAY BE
GRANTED.

01 GENERAL GOVERNMENT

02 LEGISLATIVE BRANCH

03 GENERAL COURT

04 VISITOR'S CENTER

05 GENERAL COURT JOINT EXPENSES

06 VISITOR'S CENTER

07 VISITOR'S CENTER

08 VISITOR'S CENTER

09 VISITOR'S CENTER

10 PERSONAL SERVICES - PERMANENT

20 CURRENT SERVICES

30 EQUIPMENT

60 BENEFITS

80 OUT-OF-STATE TRAVEL

90 OTHER EXPENDITURES

92 SOUVENIR PURCHASES

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

VISITOR'S CENTER

GENERAL FUND

TOTAL

REVENUES IN EXCESS OF \$7,000 IN FY 1989 AND
\$7,000 IN FY 1991 FROM THE SALE OF SOUVENIRS IS
HEREBY APPROPRIATED FOR CLASS 92 SOUVENIR

21,107	52,224
43,700	46,100
500	500
4,855	5,370
70,162	74,344
70,162	74,344
70,162	74,344

57,863	59,224
3,800	2,900
13,308	14,214
500	500
500	500
3,000	3,000
79,171	80,338
7,000	7,000
7,171	7,171

HE 0200	PAGE 5	05-04-89	----- FISCAL YEAR 1990 -----	----- FISCAL YEAR 1991 -----
01 GENERAL GOVERNMENT				
02 LEGISLATIVE BRANCH				
03 GENERAL COURT				
04 VISITOR'S CENTER				
PURCHASES				
TOTAL			79,171	80,336
PERMANENT EMPLOYEES AS APPROVED BY THE				
LEGISLATIVE FACILITIES COMMITTEE SHALL BE				
ELIGIBLE FOR PRINCE BENEFITS AS PROVIDED FOR				
CLASSIFIED EMPLOYEES INCLUDING MEMBERSHIP IN				
THE RETIREMENT SYSTEM, MEDICAL, DENTAL AND LIFE				
INSURANCE COVERAGE, ANNUAL, SICK AND BONUS				
LEAVE, AND ANY OTHER BENEFITS THAT MAY BE				
GRANTED				
01 GENERAL GOVERNMENT				
02 LEGISLATIVE BRANCH				
03 GENERAL COURT				
05 LEGISLATIVE ACCOUNTING				
10 PERSONAL SERVICES - PERMANENT		94,379		94,010
20 CURRENT EXPENSES		21,500		21,550
50 BENEFITS		21,454		22,562
90 OTHER EXPENDITURES		1,000		1,000
TOTAL		118,133		120,122
ESTIMATED SOURCE OF FUNDS FOR				
LEGISLATIVE ACCOUNTING				
GENERAL FUND				
TOTAL		118,133		120,122
PERMANENT EMPLOYEES AS APPROVED BY THE				
LEGISLATIVE FACILITIES COMMITTEE SHALL BE				
ELIGIBLE FOR PRINCE BENEFITS AS PROVIDED FOR				
CLASSIFIED EMPLOYEES INCLUDING MEMBERSHIP IN				
THE RETIREMENT SYSTEM, MEDICAL, DENTAL AND LIFE				
INSURANCE COVERAGE, ANNUAL, SICK AND BONUS				
LEAVE, AND ANY OTHER BENEFITS THAT MAY BE				
GRANTED				
THE OFFICE AND FUNCTIONS OF LEGISLATIVE				
ACCOUNTING SHALL BE UNDER THE JURISDICTION				

HE 0200 PAGE 6 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
01 GENERAL GOVERNMENT					
02 LEGISLATIVE BRANCH					
03 GENERAL COURT JOINT EXPENSES					
05 LEGISLATIVE ACCOUNTING					
OF THE JOINT COMMITTEE ON LEGISLATIVE FACILITIES					
TOTAL		0 796 236		4 274 757	
ESTIMATED SOURCE OF FUNDS FOR					
GENERAL FUND		3 747 979		4 296 500	
OTHER FUNDS		48 257		78 257	
TOTAL		3 796 236		4 374 757	
01 GENERAL GOVERNMENT					
02 LEGISLATIVE BRANCH					
03 LEGISLATIVE SERVICES					
01 LEGISLATIVE SERVICES					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	577,425				
30 EMPLOYMENT	42,093				
40 EQUIPMENT	2,500				
50 OTHER PERSONAL SERVICES	35,000				
60 BENEFITS	135,486				
70 IN-STATE TRAVEL	1,000				
80 OUT-OF-STATE TRAVEL	4,000				
TOTAL	817,004		838,212		
ESTIMATED SOURCE OF FUNDS FOR					
LEGISLATIVE SERVICES					
GENERAL FUND	817,004		838,212		
TOTAL	817,004		838,212		
01 GENERAL GOVERNMENT					
02 LEGISLATIVE BRANCH					
03 LEGISLATIVE SERVICES					
02 ADMINISTRATIVE SERVICES					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	111,012				
30 EMPLOYMENT	10,000				
40 EQUIPMENT	2,500				
50 BENEFITS	24,500				
60 IN-STATE TRAVEL	500				
70 OUT-OF-STATE TRAVEL	1,200				
80 PRINTING AND BINDING	2,000				
TOTAL	151,212		157,212		

HE 0200 PAGE 9 05/04/89

01 GENERAL GOVERNMENT (CONT.)
 02 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 03 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 04 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 05 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 06 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 07 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 08 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 09 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 10 LEGISLATIVE BUDGET ASSISTANT (CONT.)
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 99 LEGISLATIVE BUDGET ASSISTANT (CONT.)
 100 LEGISLATIVE BUDGET ASSISTANT (CONT.)

60 BENEFITS 156,572
 70 IN-STATE TRAVEL 170,641
 80 OUT-OF-STATE TRAVEL 10,000
 90 CONSULTANTS FEES 20,000
 91 CONSULTING PROFESSIONAL FEES 40,000
 92 CONSULTING PROFESSIONAL FEES 35,000
 93 CONSULTING PROFESSIONAL FEES 35,000
 94 CONSULTING PROFESSIONAL FEES 35,000
 95 CONSULTING PROFESSIONAL FEES 35,000
 96 CONSULTING PROFESSIONAL FEES 35,000
 97 CONSULTING PROFESSIONAL FEES 35,000
 98 CONSULTING PROFESSIONAL FEES 35,000
 99 CONSULTING PROFESSIONAL FEES 35,000
 100 CONSULTING PROFESSIONAL FEES 35,000
 TOTAL 1,680,738
 ESTIMATED SOURCE OF FUNDS FOR
 AUDIT DIVISION 240,000
 AGENCY INCOME 1,440,738
 GENERAL FUND 1,680,738
 TOTAL 1,680,738

LAPSE FROM LEGISLATIVE BUDGET ASSISTANT
 BALANCES FORWARD
 ANY SUM WHICH IS IN EXCESS OF \$100,000 FROM THE
 BALANCES BROUGHT FORWARD FOR THE LEGISLATIVE
 BUDGET ASSISTANT FROM THE FISCAL YEAR ENDING
 JUNE 30, 1989 AND EACH SUBSEQUENT FISCAL YEAR
 YEAR 1989 AND EACH SUBSEQUENT FISCAL YEAR ON JULY 1
 1989 AND EACH SUBSEQUENT FISCAL YEAR THE
 LEGISLATIVE BUDGET ASSISTANT SHALL DESIGNATE
 THE AMOUNT OF THE BUDGET ASSISTANT AND THE
 AMOUNT FROM THE DESIGNATED FUND WHICH
 WHICH SHALL LAPSE IN ACCORDANCE WITH THIS
 SECTION

TOTAL 2,304,415
 ESTIMATED SOURCE OF FUNDS FOR
 LEGISLATIVE BUDGET ASSISTANT 2,329,203
 GENERAL FUND 2,089,203
 OTHER FUNDS 240,000
 TOTAL 2,329,203

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

01 GENERAL GOVERNMENT
02 LEGISLATIVE BRANCH
03 GENERAL COURT INFORMATION SYS

10 PERSONAL SERVICES - PERMANENT
20 CONSULTANT FEES
30 EQUIPMENT
40 CONSULTANTS
50 OTHER PERSONAL SERVICES
60 BENEFIT TRAVEL
70 TRAVEL
80 OUT-OF-STATE TRAVEL
91 COMPUTER SYSTEM EXPENDITURES

TOTAL
UNALLOTTED SOURCE OF FUNDS FOR
GENERAL COURT INFORMATION SYS
GENERAL FUND
TOTAL

128,250
14,300
1,500
6,000
23,500
2,500
3,000
99,000

287,816

297,098

287,816
287,816

297,098
297,098

PERMANENT EMPLOYEES AS APPROVED BY THE
LEGISLATIVE BRANCH SHALL BE
RECEIVED FOR FUNDING BENEFITS AS PROVIDED FOR
CLASSIFIED EMPLOYEES INCLUDING MEMBERSHIP IN
THE RETIREMENT SYSTEM, MEDICAL AND LIFE
INSURANCE COVERAGE, ANNUAL SICK AND BONUS
LEAVE AND ANY OTHER BENEFITS THAT MAY BE
GRANTED

TOTAL
UNALLOTTED SOURCE OF FUNDS FOR
LEGISLATIVE BRANCH
GENERAL FUND
OTHER FUNDS
TOTAL

7,356,716

7,896,532

7,068,275
289,257
7,356,716

7,608,275
289,257
7,896,532

01 GENERAL GOVERNMENT
02 EXECUTIVE OFFICE
03 OFFICE OF THE GOVERNOR
04 OFFICE OF THE GOVERNOR

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF GOVERNOR
12 SALARY OF GOVERNOR
20 CURRENT EXPENSES
22 RENTS & UTILITIES TO NON-STATE

770,000
2,000
50,000
110,000
21,000

820,000
2,147
115,000
22,000

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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01 GENERAL GOVERNMENT
 03 EXECUTIVE OFFICE OF THE GOVERNOR
 01 OFFICE OF THE GOVERNOR
 01 OFFICE OF THE GOVERNOR
 01 OFFICE OF THE GOVERNOR

24 MAINT. OTHER THAN ELECGRNDS
 25 ELECGRNDS
 30 ELECGRNDS - LEASE
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 61 TRAVEL
 62 TRAVEL
 91 GOVERNORS CONTINGENT FUND
 92 GOVERNORS SPECIAL FUND
 93 EMERGENCY FUND
 94 EMERGENCY FUND
 95 EMERGENCY FUND
 96 NATIONAL GOVERNORS ASSOC
 97 CONEG ACIP NATIONAL SERVICES
 98 COMPUTER MAINTENANCE & REPAIR
 99 DRUG FREE COMMUNITY ACT FUND

4,500
 5,000
 5,000
 45,000
 208,637
 24,000
 24,000
 20,000
 20,000
 20,000
 45,000
 145,000
 141,000
 141,000
 45,000
 23,000
 23,000
 35,000
 384,225

* TRANSFERS FROM THIS FUND ARE SUBJECT TO PRIOR
 APPROVAL OF THE GOVERNOR AND THE SENATE. THE
 GOVERNOR AND COUNCIL SHALL KEEP A RECORD OF TRANSFERS
 OF ACCOUNT NO. SHALL KEEP A RECORD OF TRANSFERS
 APPROVED FOR OTHER THAN GENERAL FUND AGENCIES
 AND SHALL KEEP A RECORD OF SPECIAL FUND TRANSFERS TO
 BE AVAILABLE FOR APPROPRIATE ADJUSTMENT BETWEEN
 FUNDS

TOTAL
 01 OFFICE OF THE GOVERNOR
 01 OFFICE OF THE GOVERNOR
 01 OTHER AGENCY FUNDS
 GENERAL FUND
 TOTAL

2,146,909
 384,225
 1,762,684
 2,146,909

2,307,830
 488,225
 1,839,605
 2,307,830

01 GENERAL GOVERNMENT
 03 EXECUTIVE OFFICE
 01 OFFICE OF THE GOVERNOR
 02 ENERGY CONSERVATION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 FEES & LEASES TO NON-STATE
 24 PAYMENTS PER TRS. ELECGRNDS
 40 INDIRECT COSTS

259,501
 52,938
 25,350
 3,000
 8,000
 17,490

295,589
 47,045
 25,350
 3,000
 8,000
 17,490

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FISCAL YEAR 1990			FISCAL YEAR 1991		
11	12	13	14	15	16
01 GENERAL GOVERNMENT					
02 EXECUTIVE OFFICE					
03 OFFICE OF THE GOVERNOR					
04 ENERGY CONSERVATION					
41 AUDIT FUND SET ASIDE	0	1,028			493
42 TRANSFER TO COLA		130			130
43 CONSULTANTS		104,570			11,760
44 CONTRACTUAL MAINT-BLDGGRND	5	4,585			70,941
45 BENEFITS TRAVEL		9,300			7,500
46 OUT-OF-STATE TRAVEL		25,500			25,500
90 ENERGY CONSERVATION		296,000			296,000
92 OTHER EXPENDITURES		407,000			1,000
93 OTHER EXPENDITURES		1,000			1,000
TOTAL		1,299,886			822,916
ESTIMATED SOURCE OF FUNDS FOR					
ENERGY CONSERVATION					
00 GENERAL FUNDS	1	1,027,453			492,760
01 ADJUDICATING INCOME		224,219			281,432
GENERAL FUND		48,214			48,724
TOTAL		1,299,886			822,916
01 GENERAL GOVERNMENT					
02 EXECUTIVE OFFICE					
03 OFFICE OF THE GOVERNOR					
04 STATE PLANNING ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT		804,773			816,541
11 PERSONAL SERVICES-UNCLASSIFIED		84,000			87,500
20 CURRENT EXPENSES		30,200			30,200
22 RENTS & LEASES		12,500			12,500
23 EQUIPMENT TO INFO SERVICES	A	30,000			20,000
46 CONSULTANTS		85,000			90,000
50 PERSONAL SERVICES - OTHER	*	43,348			50,000
60 BENEFITS		202,800			218,118
61 OUT-OF-STATE TRAVEL		6,500			6,500
90 CONTRACTUAL		5,000			50,000
91 GEOGRAPHIC INFORMATION SYSTEM		50,000			250,000
92 REGIONAL PLANNING/LOOD CONTROL		250,000			4,800
93 TRANSFER TO ESTUARINE RESERVE		51,470			50,122
94 CONN RIVER VALLEY FLOOD CONT		1,000			1,000
95 NORTH COUNTRY COUNCIL		15,000			15,000
99 REQUIRED MATCH FUNDS	D	387,063			390,748

* INCLUDED IN THIS APPROPRIATION FOR FY 1990 ARE

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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01 GENERAL GOVERNMENT (CONT.)
 03 EXECUTIVE OFFICE OF THE GOVERNOR (CONT.)
 03 STATE PLANNING OFFICE (CONT.)
 03 STATE PLANNING ADMINISTRATION (CONT.)

FUNDS FOR A POSITION TO FACILITATE THE TRANSFER
 OF THE ESTUARINE RESERVE PROGRAM FROM THIS
 OFFICE TO FISH AND GAME

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 STATE PLANNING ADMINISTRATION
 GENERAL FUND
 TOTAL

2,072,942
 2,072,942
 2,064,421
 2,064,421

01 GENERAL GOVERNMENT
 03 EXECUTIVE OFFICE
 03 OFFICE OF THE GOVERNOR
 03 STATE PLANNING OFFICE
 02 POLICY ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 30 EQUIPMENT
 40 CONSULTANTS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

79,647
 18,700
 7,300
 2,000
 18,000
 18,000
 18,000
 3,500

80,200
 17,500
 7,300
 2,000
 18,000
 18,000
 18,000
 3,500

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 POLICY ADMINISTRATION
 GENERAL FUND
 TOTAL

144,566
 144,566
 145,685
 145,685

01 GENERAL GOVERNMENT
 03 EXECUTIVE OFFICE
 03 OFFICE OF THE GOVERNOR
 03 STATE PLANNING OFFICE
 03 WATER ASSIST. PLNG/RAD WASTE

20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 40 CONSULTANTS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

15,000
 2,000
 60,000
 2,000
 2,000

17,000
 2,100
 60,000
 1,000
 2,000

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 WATER ASSIST. PLNG/RAD WASTE
 GENERAL FUND
 TOTAL

80,000
 80,000
 80,000

HE 0204	PAGE 13	PERIOD 89		FISCAL YEAR 1990	FISCAL YEAR 1991
01 GENERAL GOVERNMENT					
01 EXECUTIVE OFFICE					
01 OFFICE OF THE GOVERNOR					
03 STATE PLANNING OFFICE					
04 MUNICIPAL REGIONAL ASSISTANCE					
10 PERSONAL SERVICES - PERMANENT			82,328		84,385
20 CURRENT EXPENSES			13,600		12,600
22 RENTS & LEASES TO NON-STATE			3,600		3,600
46 CONSULTANTS			2,500		2,500
60 PERSONAL			18,000		18,000
60 BENEFITS SERVICES - OTHER			19,777		21,001
70 IN-STATE TRAVEL			1,500		1,500
80 OUT-OF-STATE TRAVEL			1,000		1,000
90 CONTRACTUAL			10,000		10,000
TOTAL			162,515		165,756
ESTIMATED SOURCE OF FUNDS FOR					
MUNICIPAL/REGIONAL ASSISTANCE					
GENERAL FUND			162,505		165,746
TOTAL			162,505		165,746
01 GENERAL GOVERNMENT					
01 EXECUTIVE OFFICE					
01 OFFICE OF THE GOVERNOR					
03 STATE PLANNING OFFICE					
06 LAND CONSERVATION ADMIN					
11 PERSONAL SERVICES-UNCLASSIFIED					
60 BENEFITS			44,371		46,431
TOTAL			10,205		11,125
ESTIMATED SOURCE OF FUNDS FOR					
LAND CONSERVATION ADMIN					
PRIVATE LOCAL FUNDS			54,576		57,574
TOTAL			54,576		57,574
01 GENERAL GOVERNMENT					
01 EXECUTIVE OFFICE					
01 OFFICE OF THE GOVERNOR					
03 STATE PLANNING OFFICE					
06 LAND CONSERVATION ADMIN					
11 PERSONAL SERVICES-UNCLASSIFIED					
60 BENEFITS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
LAND CONSERVATION ADMIN					
PRIVATE LOCAL FUNDS					
TOTAL					

----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1989 -----	

01 GENERAL GOVERNMENT			
03 EXECUTIVE OFFICE			
04 OFFICE OF THE GOVERNOR			
05 PLANNING GRANTS			
06 COMMUNITY DEVELOPMENT BLOCK GR			
20 CURRENT EXPENSES	24,145	20,645	
22 RENTALS LEASES TO NON-STATE	11,000	11,000	
23 EQUIPMENT	9,000	9,000	
24 INDIRECT COSTS	3,437	3,582	
41 AUDIT FUND SET ASIDE	1,500	1,500	
42 TRANSFER TO COLA	1,500	1,500	
46 CONSULTANTS	32,500	31,483	
80 OUT-OF-STATE TRAVEL	1,500	1,500	
90 CONTRACTUAL	6,250	6,250	
92 PASS THRU FUNDS	5,410,000	10,000	
99 TRANSFER SALARIES/BENEFIT CHGS	256,486	5,303,172	
TOTAL	5,672,639	5,673,815	
ESTIMATED SOURCE OF FUNDS FOR			
COMMUNITY DEVELOPMENT BLOCK GR			
001 FEDERAL FUNDS	5,500,000	5,500,000	
002 GENERAL FUND	172,639	173,815	
TOTAL	5,672,639	5,673,815	
01 GENERAL GOVERNMENT			
03 EXECUTIVE OFFICE			
04 OFFICE OF THE GOVERNOR			
05 PLANNING GRANTS			
06 COASTAL ZONE MANAGEMENT			
20 CURRENT EXPENSES	22,620	22,200	
22 EQUIPMENT LEASES TO NON-STATE	9,880	10,300	
23 EQUIPMENT	1,000	1,000	
24 INDIRECT COSTS	2,703	2,718	
41 AUDIT FUND SET ASIDE	1,253	1,250	
42 TRANSFER TO COLA	1,000	1,000	
46 CONSULTANTS	1,500	1,500	
80 OUT-OF-STATE TRAVEL	315,500	315,500	
92 PASS THRU FUNDS	221,350	222,000	
99 TRANSFER SALARIES/BENEFIT CHGS			
TOTAL	585,256	586,772	
ESTIMATED SOURCE OF FUNDS FOR			
COASTAL ZONE MANAGEMENT			
001 FEDERAL FUNDS	450,000	450,000	
002 GENERAL FUND	135,256	136,772	
TOTAL	585,256	586,772	

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01 GENERAL GOVERNMENT									
02 EXECUTIVE OFFICE									
03 OFFICE OF THE GOVERNOR									
04 STATE PLANNING SERVICE									
05 NATIONAL YARP SERVICE									
20 CURRENT EXPENSES									
22 RENTALS LEASES TO NON-STATE									
24 TRAVEL'S COST INFO SERVICES									
31 AUGUST FUND SET ASIDE									
42 TRANSFER TO COLA									
46 CONSULTANTS									
70 IN-STATE TRAVEL									
80 OUT-OF-STATE TRAVEL									
99 TRANSFER SALARIES/BENEFIT CHGS									
TOTAL									
ESTIMATED SOURCE OF FUNDS FOR									
NATIONAL YARP SERVICE									
GENERAL FUNDS									
GENERAL FUND									
TOTAL									
TOTAL									
ESTIMATED SOURCE OF FUNDS FOR									
OFFICE OF THE GOVERNOR									
FEDERAL FUNDS									
GENERAL FUND									
OTHER FUNDS									
TOTAL									
01 GENERAL GOVERNMENT									
02 EXECUTIVE OFFICE									
03 EXECUTIVE COUNCIL									
11 COUNCILORS COMPENSATION									
20 CURRENT EXPENSES									
30 EQUIPMENT									
50 PERSONAL SERVICES - OTHER									
60 BENEFITS									
70 IN-STATE TRAVEL									
80 OUT-OF-STATE TRAVEL									
TOTAL									
ESTIMATED SOURCE OF FUNDS FOR									
EXECUTIVE COUNCIL									
GENERAL FUND									
TOTAL									

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01 GENERAL GOVERNMENT -					
03 EXECUTIVE OFFICE					
04 HUMAN RESOURCES					
02 CLIENT ASSISTANCE PROGRAM					
10 PERSONAL SERVICES - PERMANENT	48,378			50,502	
20 CURRENT EXPENSES	5,477			4,852	
30 EQUIPMENT	421			100	
40 IN-STATE TRAVEL	1,000			1,200	
50 OUT-OF-STATE TRAVEL	1,127			1,200	
60 BENEFITS	2,000			1,200	
70 IN-STATE TRAVEL	1,200			1,200	
80 OUT-OF-STATE TRAVEL	1,200			1,200	
90 TRAINING	127			127	
TOTAL	70,000			70,000	
ESTIMATED SOURCE OF FUNDS FOR					
00 CLIENT ASSISTANCE PROGRAM	70,000			70,000	
00 FEDERAL FUNDS	70,000			70,000	
TOTAL	70,000			70,000	
TOTAL	281,101			284,105	
ESTIMATED SOURCE OF FUNDS FOR					
00 GOVERNMENT CONTRACT ON HANDICAPPED	70,000			70,000	
00 FEDERAL FUNDS	210,501			213,505	
00 GENERAL FUND	600			600	
00 OTHER FUNDS	600			600	
TOTAL	281,101			284,105	
01 GENERAL GOVERNMENT					
03 EXECUTIVE OFFICE					
04 HUMAN RESOURCES					
10 PERSONAL SERVICES - PERMANENT	488,871			498,871	
20 CURRENT EXPENSES	56,250			56,250	
30 EQUIPMENT	8,000			8,000	
40 IN-STATE TRAVEL	7,346			7,346	
50 OUT-OF-STATE TRAVEL	19,688			19,688	
60 BENEFITS	19,921			19,921	
70 IN-STATE TRAVEL	40,000			40,000	
80 OUT-OF-STATE TRAVEL	295,200			295,200	
90 TRAINING	114,729			114,729	
TOTAL	16,500			16,500	
ESTIMATED SOURCE OF FUNDS FOR					
00 GOVERNMENT CONTRACT ON HANDICAPPED	305,000			310,000	
00 FEDERAL FUNDS	35,000			35,000	
00 GENERAL FUND	35,000			35,000	
00 OTHER FUNDS	35,000			35,000	
TOTAL	35,000			35,000	

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31 GENERAL GOVERNMENT					
03 EXECUTIVE OFFICE					
04 HUMAN RESOURCES					
92 C. A. CONTRACTS				13,000,000	13,000,000
93 C. B. CONTRACTS				13,975,000	1,035,000
94 WEATHERIZATION CONTRACTS				4,000,000	4,000,000
95 OTHER EXPENDITURES				155,000	155,000
96 OIL OVERCHARGE CONTRACTS				200,000	200,000
99 HEADSTAP CONTRACTS				225,490	225,490
TOTAL				20,143,063	20,203,695
ESTIMATED SOURCE OF FUNDS FOR					
HUMAN RESOURCES				19,909,595	19,970,469
UNDEVELOPED FUNDS				233,367	233,426
GENERAL FUND				20,143,063	20,203,695
TOTAL				33,249,238	32,996,556
TOTAL				33,249,238	32,996,556
05 CAPITAL SOURCE OF FUNDS FOR					
EXECUTIVE OFFICE				26,982,149	26,508,029
FEDERAL FUNDS				5,000,000	5,400,636
GENERAL FUND				933,620	1,057,831
OTHER FUNDS				33,249,238	32,996,556
TOTAL				33,249,238	32,996,556
31 GENERAL GOVERNMENT					
04 DEPARTMENTAL SERVICES					
01 OFFICE OF THE COMMISSIONER					
01 COMMISSIONER-ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT				23,161	24,136
11 SALARIES OF COMMISSIONER				64,406	64,406
12 INTERNAL AUDITOR				39,459	41,519
13 DIRECTOR-OPERATIONAL ANALYSIS				46,906	48,035
20 CURRENT EXPENSES				5,900	5,900
30 CAPITAL				1,000	1,000
40 BENEFITS				40,004	42,758
70 IN-STATE TRAVEL				800	800
80 OUT-OF-STATE TRAVEL				1,750	1,750
90 TRAINING				1,100	1,100
92 CONTINGENCY - REASE AIR BASE				1	1
TOTAL				222,937	229,710
ESTIMATED SOURCE OF FUNDS FOR					
COMMISSIONER-ADMINISTRATION				222,937	229,710
GENERAL FUND				222,937	229,710
TOTAL				222,937	229,710

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

01 GENERAL GOVERNMENT
 01 DEPT. ADMINISTRATION SERVICES
 01 OFFICE OF THE COMMISSIONER
 02 BUDGET OFFICE
 01 BUDGET OFFICE
 10 PERSONAL SERVICES - PERMANENT
 11 SALARY OF BUDGET OFFICE
 20 CURRENT EXPENSES
 30 EQUIPMENT
 40 PERSONAL SERVICES - OTHER
 50 BENEFITS
 60 IN-STATE TRAVEL
 70 OUT-OF-STATE TRAVEL
 80 BUDGET INFORMATION
 90 ECONOMIC FORECASTING
 93 FIXED ASSET SYSTEM

326,469
 51,076
 11,580
 1,262
 13,550
 55,500
 87,872
 2,700
 2,700
 13,000
 1,000
 20,000
 327,400

THESE FUNDS SHALL NOT LAPSE ON JUNE 30, 1991

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 BUDGET OFFICE
 GENERAL FUND
 TOTAL

521,656
 521,656
 521,656

875,288
 875,288
 875,288

01 GENERAL GOVERNMENT
 01 DEPT. ADMINISTRATION SERVICES
 01 OFFICE OF THE COMMISSIONER
 02 BUDGET OFFICE
 02 BUSINESS OFFICE
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 40 PERSONAL SERVICES - OTHER
 50 BENEFITS
 60 IN-STATE TRAVEL
 70 OUT-OF-STATE TRAVEL
 90 TRAINING

156,441
 10,000
 3,300
 3,300
 3,300
 3,300
 850
 300
 500

210,264
 210,264
 210,264

211,120
 211,120
 211,120

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 BUSINESS OFFICE
 GENERAL FUND
 TOTAL

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01 GENERAL GOVERNMENT

04 DEPT ADMINISTRATIVE SERVICES

01 OFFICE OF THE COMMISSIONER

02 BUDGET OFFICE

03 SPECIAL DISBURSEMENTS

90 NASBO

92 FIREMENS RELIEF

96 GOVERNOR'S INSURANCE

99 EXECUTIVE OFFICE TRANSITION

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

SPECIAL DISBURSEMENTS

GENERAL FUND

TOTAL

31 GENERAL GOVERNMENT

04 DEPT ADMINISTRATIVE SERVICES

01 OFFICE OF THE COMMISSIONER

02 BUDGET OFFICE

04 INDIGENT DEFENDERS

40 ASSIGNED COUNSEL

41 CONTRACT COUNSEL

42 CONTRACT COUNSEL

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

GENERAL FUND

TOTAL

51 GENERAL GOVERNMENT

01 DEPT ADMINISTRATIVE SERVICES

01 OFFICE OF THE COMMISSIONER

11 FINANCIAL DATA MANAGEMENT

10 PERSONAL SERVICES - PERMANENT

12 SALARY OF DIRECTOR

20 CURRENT EXPENSES

34 MAINT OTHER THAN BUDGET

30 EQUIPMENT

40 PERSONAL SERVICES - NON BENEFIT

50 PERSONAL SERVICES - OTHER

60 BENEFITS

70 IN-STATE TRAVEL

80 OUT-OF-STATE TRAVEL

90 OFFICE INFORMATION MAINT SUPPORT

93 COMPUTER FORMS & OCCUPATION

95 INTEGRATED FINANCIAL SYSTEM

99 EXTERNAL OP SUPPORT ASSOC CO

94 RENT/UTL FOR ENTRY

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

5,700 6,000

6,000 6,000

155 155

5,000 5,000

17,155 17,155

11,855 11,855

11,855 11,855

11,855 11,855

1,000,000 1,000,000

4,000,000 4,000,000

1,100,000 1,200,000

6,274,125 6,690,665

6,274,125 6,690,665

6,274,125 6,690,665

299,266 301,141

48,495 48,495

7,260 7,660

1,200 1,400

1,000 1,000

351,375 351,375

22,474 22,474

85,632 85,632

200 200

20,000 20,000

12,500 12,500

200,000 200,000

150,000 150,000

10,000 10,000

25,500 27,500

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(CONT.)
 01 GENERAL GOVERNMENT
 02 DEPT. ADMINISTRATIVE SERVICES
 03 OFFICE OF THE COMMISSIONER
 04 FINANCIAL DATA MANAGEMENT
 (CONT.)

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

* FUNDS APPROPRIATED IN FY 1991 MAY BE EXPENDED WITH PRIOR APPROVAL OF THE FISCAL COMMITTEE

TOTAL			
ESTIMATED SOURCE OF FUNDS FOR		1,043,927	
FINANCIAL DATA MANAGEMENT			
GENERAL FUND	1,085,024	1,043,927	
TOTAL	1,085,024	1,043,927	
TOTAL	9,325,861	9,067,865	
ESTIMATED SOURCE OF FUNDS FOR			
GENERAL FUND	9,325,861	9,067,865	
TOTAL	9,325,861	9,067,865	

01 GENERAL GOVERNMENT
 04 DEPT. ADMINISTRATIVE SERVICES
 02 DIVISION OF ACCOUNTING SERVICE
 01 FINANCIAL REPORTING

10 PERSONAL SERVICES - PERMANENT	153,583
11 SALARY OF DIRECTOR	50,876
20 CURRENT EXPENSES	1,200
30 EQUIPMENT	1,125
40 PERSONAL SERVICES - OTHER	17,000
50 BENEFITS	50,419
60 TRAVEL	2,480
70 IN-STATE TRAVEL	1,900
80 OUT-OF-STATE TRAVEL	1,900
90 TRAINING	30,000
91 PREPARATION OF ANNUAL REPORT	

* PREPARATION OF ANNUAL REPORT
 PREPARATION OF ANNUAL REPORT
 REQUIREMENTS OF RSA 31:1, § 1 (III) RELATIVE TO
 A COMPLETED COMPREHENSIVE ANNUAL REPORT NOT
 LATER THAN 90 DAYS AFTER THE CLOSE OF THE
 FISCAL YEAR AND PRIOR TO THE COMPLETION OF THE
 REPORT SHALL ALSO BE INCLUDED IN THIS APPROPRIATION SHALL NOT BE USED FOR THE COST OF

HB 0200	PAGE	CS	04 89		FISCAL YEAR 1990		FISCAL YEAR 1991
01 GENERAL GOVERNMENT							
04 DEPT ADMINISTRATIVE SERVICES				(CONT)			
02 DIVISION OF ACCOUNTING SERVICE				(CONT)			
03 BUREAU OF PERS. MANAGEMENT				(CONT)			
TOTAL					43.09		43.415
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
DIVISION OF ACCOUNTING SERVICE					979,587		994,148
GENERAL FUND							
TOTAL					979,587		994,148
01 GENERAL GOVERNMENT							
04 DEPT ADMINISTRATIVE SERVICES							
03 DIVISION INFORMATION SERVICES							
01 DIV ADMINISTRATION							
10 PERSONAL SERVICES - PERMANENT							
11 SALARY OF DIRECTOR					24,236		24,536
12 SALARY OF DEPT. CLERK					11,516		11,516
13 SALARY OF DEPT. CLERK					12,500		12,500
24 MAINT. OTHER THAN BLDGGRNDS					2,900		2,900
28 TRANSFERS TO GEN. L. SERVICES					274,596		275,210
30 EQUIPMENT					15,000		15,000
50 PERSONAL SERVICES - OTHER					15,000		15,000
60 PERSONAL SERVICES - OTHER					15,000		15,000
70 IN-STATE TRAVEL					1,111		1,111
80 OUT-OF-STATE TRAVEL					2,000		2,000
93 TRAINING					13,000		13,000
95 CONTRACT DEVELOPMENT					25,000		25,000
TOTAL					554,329		552,344
ESTIMATED SOURCE OF FUNDS FOR							
DIV. ADMINISTRATION					554,329		552,344
GENERAL FUND							
TOTAL					554,329		552,344
01 GENERAL GOVERNMENT							
04 DEPT ADMINISTRATIVE SERVICES							
03 DIVISION INFORMATION SERVICES							
02 COMPUTER SERVICES							
10 PERSONAL SERVICES - PERMANENT							
16 PERSONAL SERVICES - NON-CLASS					1,020,024		1,028,859
24 MAINT. OTHER THAN BLDGGRNDS					400,000		400,000
28 TRANSFERS TO GEN. L. SERVICES					139,135		139,135
44 DEPT SERVICE (OTHER AGYS)					153,532		153,532
50 PERSONAL SERVICES - OTHER					30,000		30,000
60 BENEFITS					247,263		262,478

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 03 DIVISION INFORMATION SERVICES
 06 AGENCY REVENUES

ESTIMATED SOURCE OF FUNDS FOR
 AGENCY REVENUES
 01 OTHER AGENCY FUNDS
 02 GENERAL FUND
 TOTAL

3,333,161
 3,333,161
 3,788,845
 3,788,845

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DIVISION INFORMATION SERVICES
 GENERAL FUND
 OTHER FUNDS
 TOTAL

6,157,359
 2,424,198
 3,333,161
 6,157,359
 6,220,415
 3,431,560
 3,788,845
 6,220,415

01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 03 DIVISION OF PERSONNEL
 01 PERSONNEL ADMIN & SUPPORT

10 PERSONAL SERVICES - PERMANENT
 11 SALARY OF DIRECTOR
 12 SALARY OF ASSISTANT OFFICER
 20 CURRENT EXPENSES
 30 EQUIPMENT
 50 PERSONAL SERVICES - OTHER
 70 BENEFITS
 80 OUT-OF-STATE TRAVEL
 90 TRAINING

52,714
 2,342
 2,342
 10,000
 1
 16,194
 15,000
 5,000
 2,500
 10,000

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PERSONNEL ADMIN & SUPPORT
 GENERAL FUND
 TOTAL

324,361
 324,361
 924,900
 924,900
 952,900
 952,900
 952,900

01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 03 DIVISION OF PERSONNEL
 02 BUREAU OF EMPLOYEE RELATIONS
 01 BUREAU OF EMPLOYEE RELATIONS
 10 PERSONAL SERVICES - PERMANENT
 11 SALARY HONORARIA EMP RELATIONS
 20 CURRENT EXPENSES
 30 EQUIPMENT

25,336
 48,294
 4,000
 900

25,336
 48,294
 4,000
 900

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01 GENERAL GOVERNMENT 04 DEPT ADMINISTRATIVE SERVICES 05 DIVISION OF PERSONNEL 06 DIVISION OF EMPLOYEE RELATIONS 07 BUREAU OF EMPLOYEE RELATIONS					
46 CONSULTANTS 40 PERMITS 80 OUT-OF-STATE TRAVEL 90 MEDICATION AND FACT-FINDING 91 NE DIR EMPLOYEE RELATIONS					
G		5,000		5,000	
		17,395		17,395	
		2,000		2,000	
		10,000		10,000	
		5,000		5,000	
TOTAL			116,866		118,503
ESTIMATED SOURCE OF FUNDS FOR					
BUREAU OF EMPLOYEE RELATIONS			116,866		118,503
GENERAL FUND			116,866		118,503
TOTAL					
01 GENERAL GOVERNMENT 04 DEPT ADMINISTRATIVE SERVICES 05 DIVISION OF PERSONNEL 06 DIVISION OF EMPLOYEE RELATIONS 07 BUREAU OF EMPLOYEE RELATIONS 02 WORKERS COMP OFFICE					
10 PERSONAL SERVICES - PERMANENT 20 CURRENT EXPENSES 30 EQUIPMENT 40 EMPLOYMENT SERVICES - OTHER 50 BENEFITS 60 TRAINING 70 IN-STATE TRAVEL 80 OUT-OF-STATE TRAVEL 90 TRAINING					
		108,962		108,962	
		7,831		7,831	
		145		145	
		17,966		17,966	
		2,755		2,755	
		2,390		2,390	
		1,292		1,292	
		1,500		1,500	
TOTAL			165,500		166,411
ESTIMATED SOURCE OF FUNDS FOR					
WORKERS COMP OFFICE			165,500		166,411
GENERAL FUND			165,500		166,411
TOTAL					
TOTAL		1,206,727		1,206,727	1,237,814
ESTIMATED SOURCE OF FUNDS FOR					
DIVISION OF PERSONNEL			1,206,727		1,237,814
GENERAL FUND			1,206,727		1,237,814
TOTAL					

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 05 DIVISION OF PROPERTY
 01 PLANT & PROPERTY ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 10 PERSONAL SERVICES - UNCLASSIFIED
 20 CURRENT EXPENSES
 30 EQUIPMENT
 50 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 TRAINING

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PLANT & PROPERTY ADMINISTRATION
 GENERAL FUND
 TOTAL

24,336 24,536
 5,077 5,077
 2,072 2,072
 2,350 2,146
 17,253 18,051
 1,200 1,200
 1,500 1,500
 500 500

 98,556 99,555
 98,556 99,555
 98,556 99,555

01 GENERAL GOVERNMENT
 05 DIVISION OF PERSONAL SERVICES
 05 DIVISION OF PLANT & PROPERTY
 02 BUREAU OF PURCHASE & PROPERTY
 01 PURCHASING ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 34 PAINT OTHER THAN BLDG&GND
 30 EQUIPMENT
 50 PERSONAL SERVICES - OTHER
 70 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 BONDING STATE OFFICERS
 91 TRAINING

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PURCHASING ADMINISTRATION
 09 AGENCY INCOME
 GENERAL FUND
 TOTAL

464,297 470,598
 42,000 42,000
 4,000 4,000
 1,000 1,000
 4,500 4,500
 107,500 113,500
 300 300
 300 500
 7,700 7,700
 500 500

 631,929 644,373

 5,840 5,840
 631,929 644,373
 631,929 644,373

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01 GENERAL GOVERNMENT				
04 DEPT ADMINISTRATIVE SERVICES				
05 DIVISION OF PLANT & PROPERTY				
02 BUREAU OF PURCHASE & PROPERTY				
02 WAREHOUSE				
				D
20 CURRENT EXPENSES		8,873		8,873
21 HEAT, ELECTRICITY & WATER		44,000		44,000
24 MAINT OTHER THAN BLDGSRNDS		450		450
42 BUILDINGS & GROUNDS MAINT		3,900		3,900
TOTAL			57,223	57,223
ESTIMATED SOURCE OF FUNDS FOR				
WAREHOUSE				
TOTAL			57,223	57,223
01 GENERAL GOVERNMENT				
04 DEPT ADMINISTRATIVE SERVICES				
05 DIVISION OF PLANT & PROPERTY				
02 BUREAU OF PURCHASE & PROPERTY				
03 SURPLUS FOOD				
10 PERSONAL SERVICES - PERMANENT				
20 CURRENT EXPENSES		158,083		158,083
30 EQUIPMENT		58,145		58,145
40 DEPRECIATION		5,220		5,220
50 PERSONAL COSTS		18,037		18,038
60 BENEFITS		37,739		37,739
70 IN-STATE TRAVEL		1,584		1,584
80 OUT-OF-STATE TRAVEL		1,976		1,976
90 OUT-OF-STATE OWNED PROPERTY		25,085		25,085
91 ACCT FUND SET ASIDE		6,500		6,500
TOTAL			313,062	317,476
ESTIMATED SOURCE OF FUNDS FOR				
SURPLUS FOOD				
TOTAL			313,062	317,476
09 AGENCY INCOME				
TOTAL			313,062	317,476

WITH THE APPROVAL OF THE GOVERNOR AND COUNCIL, THE SUPERVISOR OF THE SURPLUS DISTRIBUTION SHALL MAKE SUCH TRANSFERS AS HE DEEMES APPROPRIATE FOR PORTIONS THEREOF AS WELL AS EQUIPMENT, BETWEEN SUBDIVISIONS OF THE SECTION SUCH TRANSFERS SHALL NOT PLACE AN UNWARRANTED DEMAND UPON THE FUND BALANCE OF EITHER SURPLUS FOOD OR SURPLUS EQUIPMENT. SUCH TRANSFERS SHALL BE TO UTILIZE SO MUCH AS MAY BE NECESSARY OF THE BALANCE ACCUMULATED AT JUNE 30, OR ANY SURPLUS ACCUMULATING DURING THE FISCAL YEAR.

HB 0200 PAGE 30 OF 04 89
 01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 05 DIVISION OF PLANT & PROPERTY
 02 BUREAU OF PURCHASE & PROPERTY
 03 SURPLUS FUND
 (CONT.)
 (CONT.)
 (CONT.)

WITHIN THE SURPLUS DISTRIBUTION SECTION, WITH
 THE APPROVAL OF THE FISCAL COMMITTEE AND THE
 GOVERNOR AND COUNCIL, TO EFFICIENTLY OPERATE
 STATE FUNDS

01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 05 DIVISION OF PLANT & PROPERTY
 02 BUREAU OF PURCHASE & PROPERTY
 03 SURPLUS PROPERTY
 10 PERSONAL SERVICES - PERMANENT
 40 INDIRECT COSTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-STATE TRAVEL
 91 AUDIT FUND SET ASIDE

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 03 SURPLUS PROPERTY
 03 PLANT INCOME
 TOTAL

38,340
 1,521
 1,521
 663
 8,322
 3,366
 988
 988
 2,500
 67,298
 66,604
 66,604
 66,604

WITH THE APPROVAL OF THE GOVERNOR AND COUNCIL
 THE SUPERVISOR OF THE SURPLUS DISTRIBUTION
 SECTION IS AUTHORIZED TO TRANSFER PERSONNEL, AS
 SECTION TO OPERATIONS THEREOF. PERSONNEL, AS
 EQUIPMENT BETWEEN SUBDIVISIONS OF THE SECTION
 SUCH TRANSFERS SHALL NOT PLACE AN UNWARRANTED
 DEMAND UPON THE FUND BALANCE OF EITHER SUPPLY
 OR MAINTENANCE FUND, NOR SHALL THE SUPERVISOR
 OF THE SECTION BE REQUIRED TO MAKE SUCH TRANSFERS
 OF THE BALANCE ACCUMULATED AT JUNE 30 OF ANY
 YEAR WITHIN THE SURPLUS DISTRIBUTION SECTION, WITH
 THE APPROVAL OF THE FISCAL COMMITTEE AND THE
 GOVERNOR AND COUNCIL, TO EFFICIENTLY OPERATE
 STATE FUNDS

HB 0200		PAGE	31	05-04-89	----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
01 GENERAL GOVERNMENT								
04 DEPT ADMINISTRATIVE SERVICES								
05 DIVISION OF PLANT & PROPERTY								
02 BUREAU OF PURCHASE & PROPERTY								
05 TEMPORARY EMERGENCY FOOD ASSIS								
20 CURRENT EXPENSES								
41 AUDIT FUND SET ASIDE								
90 CONTRACTED SERVICES								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
TEMPORARY EMERGENCY FOOD ASSIS								
00 FEDERAL FUNDS								
TOTAL								
01 GENERAL GOVERNMENT								
04 DEPT ADMINISTRATIVE SERVICES								
05 DIVISION OF PLANT & PROPERTY								
02 BUREAU OF PURCHASE & PROPERTY								
05 STATE ADMINISTRATIVE EXPENSE								
20 CURRENT EXPENSES								
41 AUDIT FUND SET ASIDE								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
STATE ADMINISTRATIVE EXPENSE								
00 FEDERAL FUNDS								
TOTAL								
01 GENERAL GOVERNMENT								
04 DEPT ADMINISTRATIVE SERVICES								
05 DIVISION OF PLANT & PROPERTY								
03 BUREAU OF PLANNING & MGMT								
10 PERSONAL SERVICES - PERMANENT								
20 CURRENT EXPENSES								
500 CONTRACT								
90 BENEFIT								
70 IN-STATE TRAVEL								
90 TRAINING								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
BUREAU OF PLANNING & MGMT								
GENERAL FUND								
TOTAL								
01 GENERAL GOVERNMENT								
04 DEPT ADMINISTRATIVE SERVICES								
05 DIVISION OF PLANT & PROPERTY								
03 BUREAU OF PLANNING & MGMT								
10 PERSONAL SERVICES - PERMANENT								
20 CURRENT EXPENSES								
500 CONTRACT								
90 BENEFIT								
70 IN-STATE TRAVEL								
90 TRAINING								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
BUREAU OF PLANNING & MGMT								
GENERAL FUND								
TOTAL								

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01 GENERAL GOVERNMENT					
04 DEPT ADMINISTRATIVE SERVICES					
05 DIVISION OF PLANT & PROPERTY					
04 BUREAU OF GRAPHIC SERVICES					
01 GRAPHIC SERVICES ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
GRAPHIC SERVICES ADMINISTRATION					
TOTAL					
126,886					
17,912					
30,240					
557					
624					
167,886					
169,438					
169,438					
169,438					
01 GENERAL GOVERNMENT					
04 DEPT ADMINISTRATIVE SERVICES					
05 DIVISION OF PLANT & PROPERTY					
04 BUREAU OF GRAPHIC SERVICES					
02 PHOTOCOPY OPERATIONS					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
28 TRANSFERS TO GEN L SERVICES					
60 BENEFITS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
PHOTOCOPY OPERATIONS					
TOTAL					
33,344					
52,508					
6,807					
102,850					
104,043					
104,043					
104,043					
01 GENERAL GOVERNMENT					
04 DEPT ADMINISTRATIVE SERVICES					
05 DIVISION OF PLANT & PROPERTY					
04 BUREAU OF GRAPHIC SERVICES					
03 PRINT SHOP OPERATIONS					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
30 HEAT, ELECTRICITY & WATER					
50 EQUIPMENT					
50 EQUIPMENT - OTHER THAN FLOORS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
PRINT SHOP OPERATIONS					
TOTAL					
322,438					
329,863					
46,232					
7,365					
53,264					
14,801					
14,801					
42,014					
557					
865,056					
873,420					

----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
HB 0200	PAGE 33 05/04/89		
01 GENERAL GOVERNMENT			
(CONT)			
02 DIVISION OF PLANT & PROPERTY			
(CONT)			
03 BUREAU OF GRAPHIC SERVICES			
(CONT)			
03 PRINT SHOP OPERATIONS			
03 AGENCY INCOME			
TOTAL		865,056	873,420
		865,056	873,420
01 GENERAL GOVERNMENT			
04 DEPT ADMIN, STRATEGIC SERVICES			
04 DEPT ADMIN, STRATEGIC SERVICES			
04 BUREAU OF GENERAL SERVICES			
01 GENERAL SERVICES ADMINISTRATION			
10 PERSONAL SERVICES - PERMANENT			
20 PERSONAL SERVICES - TEMPORARY			
30 WATER, ELECTRICITY & WATER			
30 EQUIPMENT			
40 OWN EQUIPMENT MAINT-BLDG&GRND			
40 CONTRACTUAL MAINT-BLDG&GRND			
60 PERSONAL SERVICES - OTHER			
60 BENEFITS			
70 IN-STATE TRAVEL			
90 JANITORIAL SERVICES			
91 BUILDING SECURITY/SAFETY			
92 TRAININGS			
93 TRAININGS			
TOTAL		1,464,787	1,479,718
ESTIMATED SOURCE OF FUNDS FOR			
GENERAL SERVICES ADMINISTRATION		1,464,787	1,479,718
GENERAL FUND		1,464,787	1,479,718
TOTAL			
01 GENERAL GOVERNMENT			
04 DEPT ADMIN, STRATEGIC SERVICES			
04 DEPT ADMIN, STRATEGIC SERVICES			
05 DIVISION OF PLANT & PROPERTY			
05 BUREAU OF GENERAL SERVICES			
02 CENTRALIZED MAIL DISTRIBUTION			
10 PERSONAL SERVICES - PERMANENT			
20 CURRENT EXPENSES			
24 MAINT OTHER THAN BLDG&GRND			
50 PERSONAL SERVICES - OTHER			
60 BENEFITS			
70 IN-STATE TRAVEL			
TOTAL		140,263	145,766
ESTIMATED SOURCE OF FUNDS FOR			
CENTRALIZED MAIL DISTRIBUTION		140,263	145,766
GENERAL FUND		140,263	145,766
TOTAL			

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01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 05 DIVISION OF PLANT & PROPERTY
 06 BUREAU OF GENERAL SERVICES
 07 TELECOMMUNICATIONS

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 40 TRAVEL
 45 CONSULTANTS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 TRAINING

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 TELECOMMUNICATIONS
 GENERAL FUND
 TOTAL

49,984
 15,000
 7,644
 1,000
 10,000
 1,000
 11,496
 14,874
 500
 900
 500

104,024
 112,394
 104,024
 112,394

THE DIRECTOR OF PLANT AND PROPERTY MANAGEMENT IS AUTHORIZED TO ASSESS A FAIR AND EQUITABLE CHARGE WITH RESPECT TO TELECOMMUNICATION SERVICES, EQUIPMENT, SUPPLIES, AND PUBLICATIONS, AND TO MAKE REVENUE FROM SUCH SERVICES FOR INSTITUTIONAL APPROPRIATIONS UPON REQUESTION AND DELIVERY. FUNDS ARISING FROM SUCH CHARGES SHALL BE SEPARATELY ACCOUNTED FOR AND WITH PRIOR APPROVAL OF THE FISCAL COMMITTEE AND THE COMPTROLLER OF THE SENATE, BE USED FOR THE POSITIONS NUMBERED 18019, 18020, 18470, EACH FISCAL YEAR FOR THE BIENNIAL AND FOR SUCH OTHER PURPOSES AS MAY BE APPROVED.

01 GENERAL GOVERNMENT
 04 DEPT ADMINISTRATIVE SERVICES
 05 DIVISION OF PLANT & PROPERTY
 06 BUREAU OF GENERAL SERVICES
 07 LEGISLATIVE OFFICE BLDG

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 HEAT, ELECTRICITY & WATER
 40 EQUIPMENT
 45 TRAVEL
 60 BENEFITS
 70 JANITORIAL SERVICES
 80 BUILDING SECURITY - SAFETY
 92 BUILDINGS & GROUNDS MAINT

40,219
 5,478
 83,812
 2,470
 3,327
 10,229
 45,000
 18,063
 14,500

40,948
 5,478
 83,812
 2,470
 3,327
 10,229
 45,000
 18,063
 14,500

PB CODE		PAGE	35	05-04-89	----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
01 GENERAL GOVERNMENT					(CONT.)			
04 DEPT. ADMINISTRATIVE SERVICES					(CONT.)			
05 DIVISION OF PLANT & PROPERTY					(CONT.)			
06 BUREAU OF GENERAL SERVICES					(CONT.)			
04 LEGISLATIVE OFFICE BLDG								
TOTAL						219,274	223,281	
ESTIMATED SOURCE OF FUNDS FOR								
LEGISLATIVE OFFICE BLDG								
GENERAL FUND						219,274	223,281	
TOTAL						219,274	223,281	
01 GENERAL GOVERNMENT								
04 DEPT. ADMINISTRATIVE SERVICES								
05 DIVISION OF PLANT & PROPERTY								
06 BUREAU OF GENERAL SERVICES								
05 OLD MILL #1								
10 PERSONAL SERVICES - PERMANENT								19,407
20 CURRENT EXPENSES								3,317
21 HEAT, ELECTRICITY & WATER								31,748
42 OAK FENCES MAINT-BLDGGRNDS								1,764
50 PERSONAL SERVICES - OTHER								4,539
60 PERSONAL SERVICES - OTHER								37,625
20 JANITORIAL SERVICES								35,025
91 BUILDING SECURITY/SAFETY								9,200
92 BUILDINGS & GROUNDS MAINT								4,500
94 BUILDING JOH ALLOWANCE								33,500
TOTAL						143,182	146,350	
ESTIMATED SOURCE OF FUNDS FOR								
OLD MILL #1								
01 OTHER AGENCY FUNDS						58,705	60,003	
02 FEDERAL BUDGET						84,477	87,347	
GENERAL FUND						143,182	146,350	
TOTAL						143,182	146,350	
01 GENERAL GOVERNMENT								
04 DEPT. ADMINISTRATIVE SERVICES								
05 DIVISION OF PLANT & PROPERTY								
06 BUREAU OF GENERAL SERVICES								
06 HEALTH & HUMAN SVCS BLDG								
10 PERSONAL SERVICES - PERMANENT								195,822
20 CURRENT EXPENSES								54,435
21 HEAT, ELECTRICITY & WATER								64,455
23 EQUIPMENT								683,910
42 OAK FENCES MAINT-BLDGGRNDS								1,600
50 PERSONAL SERVICES - OTHER								10,000
60 PERSONAL SERVICES - OTHER								15,000
60 BENEFITS								16,646
20 JANITORIAL SERVICES								45,198
91 BUILDING SECURITY/SAFETY								224,200
TOTAL								85,000

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01 GENERAL GOVERNMENT				
04 DEPT ADMINISTRATIVE SERVICES				
05 DIVISION OF PLANT & PROPERTY				
06 BUREAU OF GENERAL SERVICES				
06 HEALTH & HUMAN SVCS BLDG				
92 BUILDINGS & GROUNDS MAINT				
94 BUILDING USE ALLOWANCE				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR				
HEALTH & HUMAN SVCS BLDG				
01 OTHER AGENCY FUNDS				
03 AGENCY INCOME				
TOTAL				
01 GENERAL GOVERNMENT				
04 DEPT ADMINISTRATIVE SERVICES				
05 DIVISION OF PLANT & PROPERTY				
06 BUREAU OF GENERAL SERVICES				
07 BRIDGES HOUSE				
20 CURRENT EXPENSES				
22 HEAT/ELECTRICITY & WATER				
50 PERSONAL SERVICES - OTHER				
60 BENEFITS				
91 BUILDING SECURITY/SAFETY				
92 BUILDINGS & GROUNDS MAINT				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR				
BRIDGES HOUSE				
GENERAL FUND				
TOTAL				
01 GENERAL GOVERNMENT				
04 DEPT ADMINISTRATIVE SERVICES				
05 DIVISION OF PLANT & PROPERTY				
06 BUREAU OF GENERAL SERVICES				
08 ANDERSON BUILDING				
20 CURRENT EXPENSES				
22 HEAT/ELECTRICITY & WATER				
23 CONTRACTUAL MAINT-BLDG				
48 CONTRACTUAL MAINT-BLDG/GRND				
90 JANITORIAL SERVICES				
91 BUILDING SECURITY/SAFETY				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR				
ANDERSON BUILDING				
GENERAL FUND				
TOTAL				

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01 GENERAL GOVERNMENT
04 DEPT ADMINISTRATIVE SERVICES
05 DIVISION OF PLANT & PROPERTY
06 BUREAU OF GENERAL SERVICES
09 SAFETY BUILDING

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
20 HEAT, ELECTRICITY & WATER
30 EQUIPMENT
49 CONSTRUCTION MAINT-BUDSGRND
50 PERSONAL SERVICES - OTHER
60 BENEFITS
91 BUILDING SECURITY/SAFETY
92 BUILDINGS & GROUNDS MAINT

TOTAL		ESTIMATED SOURCE OF FUNDS FOR	
		SAFETY BUILDING	
		OF OTHER AGENCY FUNDS.	
TOTAL		TOTAL	
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

U1 GENERAL GOVERNMENT
U4 TEST ADMINSTRATIVE SERVICES
U4 CIVIL SERVICE PLANT & PROPERTY
OF BUREAU OF GENERAL SERVICES
TO MORTON BUILDING

- 10 PERSONAL SERVICE - PERMANENT
- 20 CRAFT SERVICES
- 25 HEAT, ELECTRICITY & WATER
- 30 PERSONAL SERVICES - OTHER
- 35 REPAIRS
- 40 BUILDING SECURITY, SAFETY
- 42 BUILDINGS & GROUNDS MAINT

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
PORTON BUILDING
ON HIGHWAY FUNDS
TOTAL

01 GENERAL GOVERNMENT
04 DEPT ADMIN/INSTRV SERVICES
05 DIVISION OF PLANT & PROPERTY
05 BUREAU OF GENERAL SERVICES
11 LONGFELLOW HALL

10 PERSONAL SERVICES	PERMANENT
20 CURE, -	EXPENSES
23 HEAT, ELECTRICITY & WATER	
47 OWN FORCES MAINT-BLDG&GRNDS	
48 CONTRACTUAL MAINT-BLDG&GRND	
50 PERSONAL SERVICES - OTHER	

77,724
19,255
206,515
3,000
18,798
1,500
17,992
28,000
11,500

384 312

386 606

384,314

386,686

54,582
14,006
165,281
1,000
12,631
20,000
3,000

270, 494

271,021

270,494

271,821

20,176
20,000
44,540
10,000
50,000
50,540

20, 176
21, 000
46, 767
10, 500
50, 000
540

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01 GENERAL GOVERNMENT
04 DEPT ADMINISTRATIVE SERVICES
05 DIVISION OF PLANT & PROPERTY
06 BUREAU OF GENERAL SERVICES
11 LONDERGAN HALL

(CONT)
(CONT)
(CONT)
(CONT)

60 BENEFITS 1 681
90 JANITORIAL SERVICES 48 229
91 BUILDING SECURITY/SAFETY 8 000
94 BUILDING USE ALLOWANCE 23 015
TOTAL 249 181
ESTIMATED SOURCE OF FUNDS FOR
LONDERGAN HALL 249 181
TOTAL 249 181

01 GENERAL GOVERNMENT
04 DEPT ADMINISTRATIVE SERVICES
05 DIVISION OF PLANT & PROPERTY
06 BUREAU OF GENERAL SERVICES
12 JOHNSON HALL

10 PERSONAL SERVICES - PERMANENT 14 972
20 CURRENT EXPENSES - WATER 3 072
30 JANITORIAL SERVICES 42 500
40 JAN FORCES MAINT-BUDG/GRND 5 000
48 CONTRACTUAL MAINT-BUDG/GRND 42 500
50 PERSONAL SERVICES - OTHER 3 300
60 BENEFITS 3 467
90 JANITORIAL SERVICES 25 000
94 BUILDING USE ALLOWANCE 7 150
TOTAL 144 866
ESTIMATED SOURCE OF FUNDS FOR
JOHNSON HALL 144 866
TOTAL 144 866

01 GENERAL GOVERNMENT
04 DEPT ADMINISTRATIVE SERVICES
05 DIVISION OF PLANT & PROPERTY
06 BUREAU OF GENERAL SERVICES
13 UPWARD-WALKER HOUSE

20 CURRENT EXPENSES 400
30 HEAT, ELECTRICITY & WATER 5 000
37 JAN FORCES MAINT-PLUMBING 541
40 BUILDING SECURITY/SAFETY 900
TOTAL 5 941
ESTIMATED SOURCE OF FUNDS FOR
UPWARD-WALKER HOUSE 5 941

5 941

5 941

5 941

5 941

5 941

5 941

5 941

5 941

5 941

5 941

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01 GENERAL GOVERNMENT							
04 DEPT. ADMIN. & SUPPORTIVE SERVICES							
05 DIVISION OF PLANT & PROPERTY							
13 BUREAU OF GENERAL SERVICES							
13 UPHAM-WALKER HOUSE							
GENERAL FUND					6,881	6,881	
TOTAL					6,881	6,881	
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR					7,464,769		7,548,140
DIVISION OF PLANT & PROPERTY							
FEDERAL FUNDS					156,792		156,792
GENERAL FUND					2,998,793		3,048,026
OTHER FUNDS					4,309,178		4,343,122
TOTAL					7,464,769		7,548,140
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR					24,134,303		25,068,382
DEPT. ADMINISTRATIVE SERVICES							
FEDERAL FUNDS					156,792		156,792
GENERAL FUND					16,335,172		17,779,613
OTHER FUNDS					7,642,339		7,131,977
TOTAL					24,134,303		25,068,382
TOTAL							
01 GENERAL GOVERNMENT							
05 SECRETARIAT & STATE							
07 ADMINISTRATION							
10 PERSONAL SERVICES - PERMANENT					228,053		234,516
11 SALARY OF DEPT. SECRETARY					30,876		30,876
12 SALARY OF DEPT. SECRETARY					4,125		4,125
13 SALARY OF ASST. SECY.					67,000		67,000
20 CURRENT EXPENSES					52,900		52,900
25 TRAVEL					44,000		44,000
30 EQUIPMENT TO INFO SERVICES					19,400		19,400
50 PERSONAL SERVICES - OTHER					22,756		22,756
60 BENEFITS					92,424		98,413
70 TRAVEL					200		200
80 OUT-OF-STATE TRAVEL					3,000		3,000
TOTAL					631,311		645,823
ESTIMATED SOURCE OF FUNDS FOR							
ADMINISTRATION					631,311		645,823
GENERAL FUND					631,311		645,823
TOTAL					631,311		645,823

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01. GENERAL GOVERNMENT							
05. SECRETARY OF STATE							
02. ELECTIONS DIVISION							
20. CURRENT EXPENSES							
22. RENTS & LEASES TO NON-STATE							
20. EQUIPMENT							
20. PERSONAL SERVICES - OTHER							
60. BENEFITS							
70. IN-STATE TRAVEL							
TOTAL ESTIMATED SOURCE OF FUNDS FOR							
ELECTIONS DIVISION							
GENERAL FUND							
TOTAL							
122,000							
3,000							
3,000							
25,000							
1,913							
300							
153,213							
153,213							
153,213							
153,213							
THE FUNDS IN THIS DIVISION SHALL NOT BE							
TRANSFERRED OR EXPENDED FOR ANY OTHER PURPOSE							
AND SHALL NOT LAPSE UNTIL JUNE 30, 1991							
01. GENERAL GOVERNMENT							
05. SECRETARY OF STATE							
03. LEGISLATIVE SERVICES DIVISION							
20. CURRENT EXPENSES							
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
LEGISLATIVE SERVICES DIVISION							
GENERAL FUND							
TOTAL							
37,000							
37,000							
37,000							
01. GENERAL GOVERNMENT							
05. SECRETARY OF STATE							
04. BOARD OF CLAIMS							
50. PERSONAL SERVICES - OTHER							
60. BENEFITS							
50. BOARD OF CLAIMS EXPENDITURES							
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
BOARD OF CLAIMS							
GENERAL FUND							
5,700							
436							
100							
6,236							
6,236							
6,236							

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 01 GENERAL GOVERNMENT (CONT.)
 05 SECRETARY OF STATE (CONT.)
 06 AUCTIONEERS BOARD (CONT.)

ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFICALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT RULES UNDER 25A-114-4 RELATIVE TO FEES FOR SUCH PROGRAMS. SUCH FEES SHALL BE USED TO COVER AN ANALYSIS OF BENEFITS AND THE DIRECT COST OF THE PROGRAM INCLUDING THE COST OF SUPPORT AND ADMINISTRATIVE SERVICES PROVIDED BY OTHER AGENCIES OR 15% OF THE DIRECT COST OF THE PROGRAM. SUCH FEES SHALL BE RELATIVE TO THE PROGRAM WHICH COVERTS GREATER BENEFITS TO THE STATE WHICH ESTABLISHES FEES FOR EXAMINATION. APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINATIONS, RELATED SERVICES OR SUPPLIES AS LONG AS SUCH EXPENDITURES DO NOT EXCEED THE DIRECT COST OF THE EXAMINATION.

01 GENERAL GOVERNMENT
 05 SECRETARY OF STATE
 07 RECORDS MGMT. & ARCHIVES

10 PERSONAL SERVICES - PERMANENT
 11 PERSONAL SERVICES - ARCHIVIST
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON STATE
 29 TRANSFERS TO INFO SERVICES
 30 EQUIPMENT
 60 PERSONAL SERVICES - OTHER
 60 REPAIRS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 RECORDS MGMT. & ARCHIVES
 GENERAL FUND
 TOTAL

124,242
 34,550
 41,817
 7800
 9,400
 6,375
 32,550
 39,024
 1,115
 1,400
 1,150

231,408
 231,408
 231,408

16,753
 34,550
 43,592
 1,500
 5,400
 34,500
 41,115
 1,400
 1,150

234,957
 234,957
 234,957

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----- FISCAL YEAR 1991 -----

	05/04/89	FISCAL YEAR 1990	FISCAL YEAR 1991
01 GENERAL GOVERNMENT			
05 SECRETARY OF STATE			
08 ADMIN. ATTACHED BOARDS			
01 REAL ESTATE COMMISSION			
10 PERSONAL SERVICES - PERMANENT			
11 SALARY OF DIRECTOR	180,927		184,262
20 CURRENT EXPENSES	31,119		31,119
22 RENT & LEASES	33,557		33,462
23 TRAVEL	12,500		12,500
24 EQUIPMENT TO GEN'L SERVICES	12,500		12,500
25 EQUIPMENT TO PERSONAL SERVICES - OTHER	3,250		6,000
30 PERSONAL SERVICES - OTHER	3,000		3,000
40 BENEFITS	49,000		51,922
50 IN-STATE TRAVEL	1,400		1,400
60 OUT-STATE TRAVEL	1,400		1,400
90 TESTING SERVICES	45,000		45,000
TOTAL	364,167	373,174	
ESTIMATED SOURCE OF FUNDS FOR			
01 REAL ESTATE COMMISSION			
05 AGENCY INCOME		45,000	45,000
GENERAL FUND		319,167	328,174
TOTAL		364,167	373,174

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
ALL BOARDS AND COMMISSIONS WHICH HAVE NO:
APPLICANTS FOR EXAMINATION
APPLICANTS FOR A LICENSE OR
REGISTRATION, A PUBLICATION WHICH THEY SELL OR
ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFIC-
ALLY AUTHORIZED TO CHARGE A FEE SHALL ADOP-
T AND ENFORCE A FEE SCHEDULE FOR SUCH
PROGRAMS. SUCH FEES SHALL BE FOR THE RECOVER OF AN
ANNUAL OR BIENNIAL BASIS THE FULL COST OF THE
PROGRAM INCLUDING THE COST OF SUPPORT AND
ADMINISTRATIVE SERVICES PROVIDED BY OTHER
AGENCIES. THE FEE SCHEDULE SHALL BE FOR THE
BOARD OR COMMISSION RELATING TO THE PROGRAM
WHICHEVER IS GREATER. A BOARD OR COMMISSION
WHICH ESTABLISHES FEES FOR EXAMINATION
APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINA-
TIONAL SERVICES PROVIDED BY OTHER AGENCIES
NEEDED BUT NOT TO EXCEED THE DIRECT COST OF
THE EXAMINATION.

	WE 0200	PAGE 44	05 JUL 89		FISCAL YEAR 1990	FISCAL YEAR 1991
01 GENERAL GOVERNMENT						
02 SENATE ADMINISTRATION						
03 ADMIN ATTACHED BOARDS						
02 COMM STATUS OF WOMEN						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES	20 580			21 437		
60 BENEFITS	8 747			8 747		
70 IN-STATE TRAVEL	4 733			5 145		
TOTAL	2 008			2 008		
ESTIMATED SOURCE OF FUNDS FOR						
COMM STATUS OF WOMEN						
GENERAL FUND	36 068			37 337		
TOTAL	36 068			37 337		
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ADMIN ATTACHED BOARDS						
GENERAL FUND	400 235			410 511		
OTHER FUNDS						
TOTAL	355 235			365 511		
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
SECRETARY OF STATE						
GENERAL FUND	1 463 285			1 528 622		
OTHER FUNDS	1 147 557			1 48 429		
TOTAL	1 610 838			1 677 051		
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
SECRETARY OF STATE						
GENERAL FUND						
OTHER FUNDS						
TOTAL						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
OFFICE OF COMMISSIONER						
GENERAL FUND	50 876			50 876		
OTHER FUNDS	11 501			12 510		
TOTAL	8 924			8 924		
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
OFFICE OF COMMISSIONER						
GENERAL FUND	72 002			72 515		
OTHER FUNDS						
TOTAL	72 002			72 515		
TOTAL						

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IN THE EVENT THAT FEDERAL FUNDS BECOME
AVAILABLE FOR THE AUTOMATED INFORMATION SYSTEM,
THE GENERAL FUND PORTION OF THIS DIVISION
SHALL BE REDUCED BY A LIKE AMOUNT

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HR 0202	FISCAL YEAR 1990	FISCAL YEAR 1991
01 GENERAL GOVERNMENT		
06 LIBRARIES & HISTORIC RES		
07 SPECIAL GRANTS		
02 TITLE 11		
ESTIMATED SOURCE OF FUNDS FOR		
00 FEDERAL FUNDS	523 170	523 370
TOTAL	523 170	523 370
01 GENERAL GOVERNMENT		
06 LIBRARIES & HISTORIC RES		
07 SPECIAL GRANTS		
02 TITLE 11		
01 AUGUST FUND SET ASIDE	229	229
80 OUT-OF-STATE TRAVEL	2,500	2,500
90 OTHER EXPENDITURES	225,698	225,698
TOTAL	228 427	228 427
ESTIMATED SOURCE OF FUNDS FOR		
00 FEDERAL FUNDS	228 427	228 427
TOTAL	228 427	228 427
01 GENERAL GOVERNMENT		
06 LIBRARIES & HISTORIC RES		
07 SPECIAL GRANTS		
02 TITLE 11		
10 PERSONAL SERVICES - FERNANT	26,481	26,481
20 CURRENT SERVICES	7,235	7,235
21 EDUC INSTITUTIONS	100	100
22 RENTALS LEASES TO NON-STATE	9,200	9,200
30 EQUIPMENT SET ASIDE	111	111
42 TRANSFER TO COLA	420	420
60 BENEFITS	6,091	6,091
70 IN-STATE TRAVEL	2,942	2,942
80 OUT-OF-STATE TRAVEL	5,725	5,725
90 SPECIAL PROJECTS		
TOTAL	110,401	110,665
ESTIMATED SOURCE OF FUNDS FOR		
00 FEDERAL FUNDS	110,401	110,665
TOTAL	110,401	110,665

----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
LINE	DESCRIPTION	1990	1991
01	GENERAL GOVERNMENT		
01	LIBRARIES, ARTS, & HISTORIC RES		
02	STATE LIBRARY		
03	SPECIAL GROUP SERVICES		
10	PERSONAL SERVICES - PERMANENT	627,561	627,744
20	CURRENT SERVICES - NON-STATE	9,760	9,770
30	PRINT OTHER PUBLICATIONS	3,600	3,600
40	PERSONAL SERVICES - OTHER	10,201	10,201
50	BENEFITS	146,874	150,824
60	IN-STATE TRAVEL	10,375	10,375
70	OUT-STATE TRAVEL	87	87
80	BOOKS	136,714	137,314
90	BOOKS		
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	FISCAL YEAR 1990	FISCAL YEAR 1991
1. Total	100	100
2. Federal Government	100	100
3. State Government	100	100
4. Local Government	100	100
5. Other	100	100

01 GENERAL GOVERNMENT
06 LIBRARIES, ARTS & HISTORIC RES
03 DIVISION OF THE ARTS
02 STATE APTS ADMINISTRATION

00	PERSONAL SERVICES - PERMANENT
20	CURRENT EXPENSES
60	BENEFITS
70	IN-STATE TRAVEL
90	TOURING
92	GRANTS
94	ARTISTS IN SCHOOLS
95	RURAL ARTS INITIATIVE

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
STATE ARTS ADMINISTRATION
05 PRIVATE LOCAL FUNDS
GENERAL FUND

[illegible]

THE COMMISSIONER OF LIBRARIES, ARTS, AND HISTORICAL RESOURCES IS AUTHORIZED TO ACCEPT GRANTS, DONATIONS, PRIVATE OR LOCAL FUNDS ON BEHALF OF THE GL 93 GRANTS PROGRAM AND THE GL 95 RURAL ARTS INITIATIVE AND THE SAME ARE HEREBY APPROPRIATED.

TOTAL

360, 381

[illegible]

01 GENERAL GOVERNMENT
02 LIBRARIES ARTS, & HISTORIC RES
03 DIVISION OF THE ARTS
03 FEDERAL ARTS ADMINISTRATION

10	PERSONAL SERVICES - PERMANENT
11	PERSONAL SERVICES-UNCLASSIFIED
20	GRANT EXPENSES
22	RENTS & LEASES TO NON STATE
30	EQUIPMENT
40	INDIRECT COSTS
50	AUGMENT FUND SET ASIDE
60	BENEFITS
70	TO IN-STATE TRAVEL
80	OUT-OF-STATE TRAVEL
90	FOURING
93	GRANTS
94	ARTISTS IN SCHOOLS

27,687	98,802
37,795	
16,366	15,348
18,013	18,013
1,500	1,500
10,348	10,348
5,500	5,500
15,348	15,348
7,674	7,674
4,000	4,000
14,000	14,000
82,022	182,022
50,000	130,000
50,000	150,000

7. L. HL
ESTIMATED SOURCE OF FUNDS FOR
FEDERAL ARTS ADMINISTRATION

MR 0200	PAGE	FO	05-01-89		FISCAL YEAR 1990	FISCAL YEAR 1991
00	GENERAL GOVERNMENT			(CONT.)		
06	LIBRARIES, ARTS, & HISTORIC RES			(CONT.)		
04	DIV OF HISTORIC PRESERVATION			(CONT.)		
02	HPO - FEDERAL PROGRAMS			(CONT.)		
90	CERTIFIED LOCAL GOVERNMENT				9,700	
91	ACCELERATED SURVEY				11,186	
TOTAL						198,266
ESTIMATED SOURCE OF FUNDS FOR						
HPO - FEDERAL PROGRAMS					193,785	
TOTAL						198,266
01	GENERAL GOVERNMENT				193,785	
06	LIBRARIES, ARTS, & HISTORIC RES				193,785	
04	DIV OF HISTORIC PRESERVATION				193,785	
03	HISTORIC RESOURCES RENT					198,266
49	TRANS TO OTHER STATE AG'S				14,112	
TOTAL						14,112
ESTIMATED SOURCE OF FUNDS FOR					14,085	
HISTORIC RESOURCES RENT					14,085	
GENERAL FUND					14,085	
TOTAL						14,112
01	GENERAL GOVERNMENT					
06	LIBRARIES, ARTS, & HISTORIC RES					
04	DIV OF HISTORIC PRESERVATION					
05	STATE CURATOR					
10	PERSONAL SERVICES - PERMANENT				26,530	
60	BENEFITS				5,370	
TOTAL						32,910
ESTIMATED SOURCE OF FUNDS FOR					31,253	
STATE CURATOR					31,253	
GENERAL FUND					31,253	
TOTAL						32,910
01	GENERAL GOVERNMENT					
06	LIBRARIES, ARTS, & HISTORIC RES					
04	DIV OF HISTORIC PRESERVATION					
06	HPO-SUPPLEMENTAL					
20	CURRENT EXPENSES				15,000	
36	CONSULTANTS				2,000	
70	IN-STATE TRAVEL				2,000	
TOTAL					15,000	20,000

HB 0200 PAGE 51 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
01 GENERAL GOVERNMENT					
06 LIBRARIES, ARTS, & HISTORIC RES					
04 DIV OF HISTORIC PRESERVATION					
06 HPO-SUPPLEMENTAL					
(CONT)					
(CONT)					
(CONT)					
ESTIMATED SOURCE OF FUNDS FOR					
HPO-SUPPLEMENTAL					
00 FEDERAL FUNDS					
TOTAL					
20,000					
20,000					
533,749					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
HPO-SUPPLEMENTAL					
00 FEDERAL FUNDS					
TOTAL					
520,482					
333,301					
187,181					
520,482					
533,749					
01 GENERAL GOVERNMENT					
06 LIBRARIES, ARTS, & HISTORIC RES					
05 CHRISTA McAULIFFE PLANETARIUM					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
30 EQUIPMENT					
40 PERSONAL SERVICES					
50 BENEFITS					
60 IN-STATE TRAVEL					
70 OUT-OF-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
CHRISTA McAULIFFE PLANETARIUM					
GENERAL FUND					
TOTAL					
59,431					
84,635					
25,500					
15,000					
14,434					
1,000					
5,000					
200,000					
200,000					
200,000					
4,291,051					
4,291,051					
1,594,483					
2,619,374					
1					
4,291,051					
4,291,051					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
LIBRARIES, ARTS, & HISTORIC RES					
GENERAL FUND					
OTHER FUNDS					
TOTAL					
4,291,051					
4,291,051					
1,597,386					
2,693,664					
1					
4,291,051					
4,291,051					

HB 0200 PAGE 52 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
01 COMMUNITY SERVICES					
01 ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT					
11 PERSONAL SERVICES-UNCLASSIFIED	177,499		178,834		
14 PERSONAL SERVICES-UNCLASSIFIED	130,459		129,189		
20 CURRENT EXPENSES	35,122		37,182		
22 PENTS & LEASES TO NON-STATE	29,950		31,360		
24 MAINT OTHER THAN BLDG&GRNDS	3,658		3,707		
30 EQUIPMENT	44,343		43,000		
70 BENEFITS TRAVEL	76,609		81,269		
80 OUT-OF-STATE TRAVEL	4,000		4,000		
TOTAL	503,140		513,587		
ESTIMATED SOURCE OF FUNDS FOR					
01 GENERAL GOVERNMENT	503,140		513,587		
07 REVENUE ADMINISTRATION	503,140		513,587		
01 COMMUNITY SERVICES					
02 MUNICIPAL SERVICES					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	254,774		255,981		
60 BENEFITS	17,400		15,450		
70 IN-STATE TRAVEL	58,500		61,335		
TOTAL	337,322		339,416		
ESTIMATED SOURCE OF FUNDS FOR					
01 GENERAL GOVERNMENT	337,322		339,416		
07 REVENUE ADMINISTRATION	337,322		339,416		
01 COMMUNITY SERVICES					
03 PROPERTY APPRAISAL					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	723,210		743,845		
40 EQUIPMENT	51,267		51,317		
60 BENEFITS	32,000		32,000		
70 IN-STATE TRAVEL	80,000		82,000		
80 OUT-OF-STATE TRAVEL	156,338		178,523		
92 PROPERTY TRANSFER REPORTS	25,330		25,330		
TOTAL	33,407		33,407		

HB 0200	PAGE 53	05/04/89	(CONT.) GENERAL GOVERNMENT (CONT.) (CONT.) (CONT.)	FISCAL YEAR 1980	FISCAL YEAR 1991
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
01 COMMUNITY SERVICES					
03 PROPERTY APPRAISAL					
TOTAL				1,111,441	1,114,635
ESTIMATED SOURCE OF FUNDS FOR					
PROPERTY APPRAISAL					
07 AGENCY INCOME				498,310	498,310
GENERAL FUND				618,131	618,325
TOTAL				1,111,441	1,114,635
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
01 COMMUNITY SERVICES					
04 FINANCIAL AID TO TOWNS					
90 FLOOD CONTROL					
91 CITY OF CONCORD-FIRE SERVICE					
TOTAL				285,995	285,995
ESTIMATED SOURCE OF FUNDS FOR					
FINANCIAL AID TO TOWNS				302,375	302,375
GENERAL FUND				302,375	302,375
TOTAL				302,375	302,375
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
01 COMMUNITY SERVICES					
05 CURRENT USE ADVISORY BOARD					
20 CURRENT EXPENSES					
60 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
TOTAL				1,120	1,120
ESTIMATED SOURCE OF FUNDS FOR					
CURRENT USE ADVISORY BOARD				550	550
GENERAL FUND				42	42
TOTAL				331	331
20 CURRENT EXPENSES					
60 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
TOTAL				2,053	2,053
ESTIMATED SOURCE OF FUNDS FOR					
CURRENT USE ADVISORY BOARD				2,053	2,053
GENERAL FUND				2,053	2,053
TOTAL				2,053	2,053
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
01 COMMUNITY SERVICES					
04 FINANCIAL AID TO TOWNS					
90 FLOOD CONTROL					
91 CITY OF CONCORD-FIRE SERVICE					
TOTAL				2,256,331	2,272,066
ESTIMATED SOURCE OF FUNDS FOR					
PROPERTY APPRAISAL					
07 AGENCY INCOME					
GENERAL FUND					
TOTAL				1,758,021	1,773,756
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
01 COMMUNITY SERVICES					
04 FINANCIAL AID TO TOWNS					
90 FLOOD CONTROL					
91 CITY OF CONCORD-FIRE SERVICE					
TOTAL				2,256,331	2,272,066

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

01 GENERAL GOVERNMENT
 07 REVENUE ADMINISTRATION
 02 REVENUE COLLECTIONS
 01 AUDIT DIVISION

10 PERSONAL SERVICES - PERMANENT
 11 SALARY OF DIRECTOR AUDIT DIV
 12 SAL OF ASST DIR AUDIT DIV
 13 SAL OF AUDIT TEAM LEADER
 14 FIELD TEAM LEADERS
 20 EQUIPMENT
 30 EQUIPMENT
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

858,602
 58,836
 48,036
 75,935
 478,424
 56,652
 56,652
 347,754
 21,341
 214,226

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 AUDIT DIVISION
 GENERAL FUND
 TOTAL
 2,156,950
 2,156,950
 2,306,923
 2,306,923

01 GENERAL GOVERNMENT
 07 REVENUE ADMINISTRATION
 02 REVENUE COLLECTIONS
 02 COLLECTION DIVISION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 25 PERSONAL SERVICES - NON-STATE
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 90 TOBACCO TAX STAMPS

383,464
 18,489
 2,550
 6,250
 89,202
 7,344
 19,250

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 COLLECTION DIVISION
 GENERAL FUND
 TOTAL
 523,555
 523,555
 510,858
 510,858

01 GENERAL GOVERNMENT
 07 REVENUE ADMINISTRATION
 02 REVENUE COLLECTIONS
 03 RETURN PROCESSING DIVISION

10 PERSONAL SERVICES - PERMANENT
 11 SALARY DIRECTOR RETURN PROCESS
 20 CURRENT EXPENSES
 30 EQUIPMENT
 50 PERSONAL SERVICES - OTHER

444,669
 51,276
 176,263
 26,342

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(CONT.)					
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
03 REVENUE COLLECTIONS					
(CONT.)					
03 RETURN PROCESSING DIVISION					
60 BENEFITS					
TOTAL		113,755		121,042	
ESTIMATED SOURCE OF FUNDS FOR		813,088		819,592	
RETURN PROCESSING DIVISION					
GENERAL FUND		813,088		819,592	
TOTAL					
TOTAL			3,493,593		3,637,373
ESTIMATED SOURCE OF FUNDS FOR					
REVENUE COLLECTIONS					
GENERAL FUND			3,493,593		3,637,373
TOTAL			3,493,593		3,637,373
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
03 REIMBURSEABLE TAXES					
01 LAND TAXES LOST					
90 REIMBURSEMENTS					
TOTAL		186,067		186,067	
ESTIMATED SOURCE OF FUNDS FOR					
LAND TAXES LOST					
GENERAL FUND		186,067		186,067	
TOTAL					
TOTAL			186,067		186,067
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
03 REIMBURSEABLE TAXES					
02 RECREATION PROPERTY					
90 REIMBURSEMENTS					
TOTAL		5,000		5,000	
ESTIMATED SOURCE OF FUNDS FOR					
RECREATION PROPERTY					
GENERAL FUND		5,000		5,000	
TOTAL					
TOTAL			5,000		5,000
ESTIMATED SOURCE OF FUNDS FOR					
REIMBURSEABLE TAXES					
TOTAL			191,067		191,067

HB 0200 PAGE 56 05/04 89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
(CONT.)					
(CONT.)					
(CONT.)					
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
03 REIMBURSEABLE TAXES					
GENERAL FUND					
TOTAL					
01 GENERAL GOVERNMENT					
07 REVENUE ADMINISTRATION					
04 DIV OF AUTOMATED INFORMATION					
10 PERSONAL SERVICES - PERMANENT					
20 PERSONAL SERVICES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDG&GNOS					
29 TRANSPORT TO INFO SERVICES					
30 EQUIPMENT					
35 TELEPHONE					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
494,374					
56,188					
21,200					
19,200					
30,544					
54,184					
54,360					
49,700					
18,649					
3,250					
6,000					
1,137,757					
1,395,511					
1,395,511					
1,395,511					
7,496,017					
6,997,707					
498,310					
7,496,017					

* THE FOLLOWING POSITION ARE AUTHORIZED AS INDICATED

JULY 1, 1990, POSITIONS NUMBERED 00014, 00013, 00012, 1991, POSITIONS NUMBERED 00011, 00010, 00009, 00008, 00007, 00006

APRIL 1, 1991, POSITIONS NUMBERED 00005, 00004, 00003

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

DIV OF AUTOMATED INFORMATION

GENERAL FUND

TOTAL

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

REVENUE ADMINISTRATION

GENERAL FUND

OTHER FUNDS

TOTAL

HB 0200 PAGE 57 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
01 GENERAL GOVERNMENT					
08 STATE TREASURY					
01 ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF TREASURER	270,526			275,729	
12 SALARY OF DEPUTY TREASURER	49,645			50,676	
13 SALARY OF ASST. TREASURER	95,477			96,390	
20 CURRENT EXPENSES	38,195			38,195	
21 TRANSFERS TO INFO. SERVICES	19,000			19,000	
22 RENTS & LEASES TO NON-STATE	4,400			4,400	
24 MAINT. OTHER THAN BLDGGRNDS	97,000			97,000	
29 TRANSFERS TO INFO. SERVICES	13,108			3,400	
30 EQUIPMENT	1,500			1,500	
46 CONSULTANTS	104,499			110,753	
55 PERSONAL SERVICES - OTHER	300			300	
60 BENEFITS	3,500			3,500	
80 OUT-OF-STATE TRAVEL	3,000			3,000	
91 TRAINING	3,000			3,000	
96 CASH FORECASTING & MGMT.	60,000			60,000	
97 CLEAN WATER ACT-REVOLVING FUND		801,250			804,953
TOTAL					804,953
ESTIMATED SOURCE OF FUNDS FOR					
ADMINISTRATION		60,000		60,000	
01 OTHER AGENCY FUNDS		741,250		744,953	
GENERAL FUND		801,250		804,953	
TOTAL					
01 GENERAL GOVERNMENT					
08 STATE TREASURY					
02 ABANDONED PROPERTY					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	36,781			37,600	
29 TRANSFERS TO INFO. SERVICES	72,400			90,400	
60 BENEFITS	15,000			15,000	
90 COMPUTERIZE ABANDONED PROP	8,460			9,024	
	100,139			20,000	
* GOVERNOR AND COUNCIL APPROVAL REQUIRED PRIOR TO COMMITMENT					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR		232,780		172,024	
ABANDONED PROPERTY					
01 AGENCY INCOME		232,780		172,024	
TOTAL		232,780		172,024	

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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01 GENERAL GOVERNMENT
08 STATE TREASURY
03 TRUST FUNDS

91 HAMILTON SMITH FUND
92 BENJAMIN THOMPSON FUND

400 400
31,900 31,900

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
TRUST FUNDS
GENERAL FUND
TOTAL

32,300 32,300
32,300 32,300
32,300 32,300

01 GENERAL GOVERNMENT
08 STATE TREASURY
04 SPECIAL GENERAL FUND DISTRIB

43 DEBT SERVICE (TREASURY)
44 DEBT SERVICE - UNH
96 STATE REVENUE SHARING
98 N H RESERVE FUND

38,290,000 41,563,000
7,159,000 7,159,000
51,444,100 51,444,966
100 100

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* THIS APPROPRIATION IS TO BE HELD IN A BALANCE
SHEET ACCOUNT CALLED GENERAL FUND RESERVE

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
SPECIAL GENERAL FUND DISTRIB
GENERAL FUND
TOTAL

96,904,066 100,572,066
96,904,066 100,572,066
96,904,066 100,572,066

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
STATE TREASURY
GENERAL FUND
OTHER FUNDS
TOTAL

97,970,396 101,581,343
97,970,396 101,581,343
97,970,396 101,581,343

----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
HB 0200	PAGE 59 05/04/89		
01 GENERAL GOVERNMENT			
09 BOARD OF TAX & LAND APPEALS			
01 BOARD OF TAX & LAND APPEALS			
10 PERSONAL SERVICES - PERMANENT			
11 SALARY OF BOARD MEMBERS	172,795	173,762	
20 CURRENT EXPENSES	16,198	166,488	
22 RENTALS	16,198	16,068	
23 TRAVEL	1,608	1,608	
30 EQUIPMENT LEASES TO NON-STATE	18,108	18,220	
30 EQUIPMENT	3,520	21,586	
40 INDIRECT COSTS	5,000	5,000	
45 PERSONNEL SVCS-NON BENEFIT	1,800	1,800	
46 CONSULTANTS	78,173	81,726	
50 PERSONAL SERVICES - OTHER	11,461	11,461	
70 IN-STATE TRAVEL	1,697	1,697	
80 OUT-OF-STATE TRAVEL			
TOTAL	498,484	501,188	
ESTIMATED SOURCE OF FUNDS FOR			
BOARD OF TAX & LAND APPEALS			
02 HIGHWAY FUNDS	202,393	203,475	
GENERAL FUND	296,091	297,713	
TOTAL	498,484	501,188	
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR			
BOARD OF TAX & LAND APPEALS			
BOARD OF TAX & LAND APPEALS	296,091	297,713	
OTHER FUNDS	202,393	203,475	
TOTAL	498,484	501,188	
01 GENERAL GOVERNMENT			
10 NM RETIREMENT SYSTEM			
01 ADMINISTRATION			
10 PERSONAL SERVICES - PERMANENT			
11 SALARY OF EXECUTIVE SECRETARY	615,226	625,327	
20 CURRENT EXPENSES	31,186	45,350	
22 RENTALS	31,186	243,377	
30 EQUIPMENT LEASES TO NON-STATE	40,740	40,740	
30 EQUIPMENT	25,966	16,386	
40 INDIRECT COSTS	34,986	16,394	
45 PERSONNEL SVCS-NON BENEFIT	17,394	345,323	
46 CONSULTANTS	32,394	72,700	
50 PERSONAL SERVICES - OTHER	92,700	16,288	
60 BENEFITS	9,193	16,288	
70 IN-STATE TRAVEL	152,655	17,530	
80 OUT-OF-STATE TRAVEL	17,530	4,229	
TOTAL	1,696,875	1,586,476	

HE 0200 PAGE 60 05 04 89			----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
01 GENERAL GOVERNMENT						
01 NH RETIREMENT SYSTEM						
01 ADMINISTRATION						
ESTIMATED SOURCE OF FUNDS FOR						
ADMINISTRATION						
09 AGENCY INCOME			1 696,875		1 696,875	
TOTAL			1 696,875		1 696,875	
IF THE SUMS APPROPRIATED FOR THIS FUND FOR						
YEARS 1990 AND 1991 ARE LESS THAN THE						
OPTIONAL EXPENDITURES FOR THE RETIREMENT						
SYSTEM'S ADMINISTRATIVE ACCOUNT SAID AUTHOR-						
IZATION IS TO BE USED IN LIEU OF THE SALARY						
ADJUSTMENT FUND, THE RETIREMENT CONTINGENCY						
ACCOUNTS, FUND, OR FUND-SOURCE CONTINGENCY						
ACCOUNTS NORMALLY FUNDED BY THE STATE						
GENERAL FUND						
THE PRO RATA SHARE OF THE ADMINISTRATIVE COST						
TO BE PAID BY EMPLOYERS OF MEMBERS OF THE NH						
RETIREMENT SYSTEM SHALL BE 18% OF THE						
PAYROLL FOR THEIR RESPECTIVE EMPLOYEES						
01 GENERAL GOVERNMENT						
10 NH RETIREMENT SYSTEM						
02 STATE CONTRIBUTIONS						
90 ACCRUED LIABILITY CONTRIBUTI			1,784,700		1,784,700	
91 NORMAL CONTRIBUTION			5,195,794		5,195,794	
92 RETIREES HEALTH INSURANCE			4,733,485		4,733,485	
TOTAL			11,713,979		12,439,151	
ESTIMATED SOURCE OF FUNDS FOR						
STATE CONTRIBUTIONS			11,713,979		12,439,151	
GENERAL FUND			11,713,979		12,439,151	
TOTAL			13,410,854		14,027,627	
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
NH RETIREMENT SYSTEM			11,713,979		12,439,151	
GENERAL FUND			1,696,875		1,696,875	
OTHER FUNDS			13,410,854		14,027,627	
TOTAL			189,513,455		135,535,747	

	FISCAL YEAR 1990	FISCAL YEAR 1991
1. Total	100.0	100.0
2. Federal Government	10.0	10.0
3. State Government	20.0	20.0
4. Local Government	70.0	70.0
5. Other	0.0	0.0

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01 GENERAL GOVERNMENT

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(CONT.)
(CONT.)
(CONT.)
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ESTIMATED SOURCE OF FUNDS FOR

28,723,424	28,262,207
149,107,883	156,124,760
11,682,128	11,148,780
189,513,435	195,535,747

02 ADMIN OF JUSTICE & PUBLIC PRIN
01 JUDICIAL BRANCH
01 SUPREME COURT

10	PERSONAL SERVICES - PERMANENT
11	SALARY OF JUSTICES
14	RETIRED JUSTICES/WIDOWS
20	CURRENT EXPENSES
22	MANAGE & LEASES TO NON-STATE
24	MAINT. OTHER THAN BLDGGRNDS
30	EQUIPMENT
40	PERSONNEL SVCS-NON BENEFIT
45	CONTRACTUAL TRAIL-BLDGRND
50	PERSONS SERVICES - OTHER
50	RENT STATE TRAVEL
60	OUT-OF-STATE TRAVEL
92	C J ACTIVITY FUND
94	EXPENSES OF RETIRED JUSTICES
95	COMPUTERIZATION

1,526,256
355,032
320,898
128,283
2,600
50,000
7,912
1,000
1,650
17,836
420,868
38,480
8,100
2,000
20,000

1,539,171
355,032
320,898
128,283
2,600
50,000
10,000
1,000
1,650
17,836
446,038
38,480
8,100
2,000
20,000

IN THE EVENT THAT ESTIMATED PENALTY ASSESSMENT REVENUE IS LESS THAN BUDGETED, THE TOTAL APPROPRIATION SHALL BE REDUCED BY THE SHORTFALL IN EITHER ACTUAL OR PROJECTED BUDGETED REVENUE.

2,943,088

2,902,915

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
SUPREME COURT
09 AGENCY INCOME
GENERAL FUND
TOTAL

2,943,088
30,000
2,913,088
2,943,088

27,912
2,875,003
2,902,915

----- FISCAL YEAR 1990 -----

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02 ADMIN OF JUSTICE & PUBLIC PRTN
01 JUDICIAL BRANCH
02 SUPERIOR COURT

10 PERSONAL SERVICES - PERMANENT
11 JUDGES
14 RETIRED JUDGES/CLERKS
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
23 HEAT, ELECTRICITY & WATER
30 EQUIPMENT
50 PERSONAL SERVICES - OTHER
52 MASTERS - BENEFITED
60 BENEFITS
70 TRAVEL
80 OUT-OF-STATE TRAVEL
90 REGULAR MASTERS
91 TRANSCRIBING SERVICES
94 SHERIFF REIMBURSEMENT
97 JURY FEES & EXPENSES
98 JURY FEES & EXPENSES

IN THE EVENT THAT ESTIMATED PENALTY ASSESSMENT
REVENUE IS LESS THAN BUDGETED, THE TOTAL APPROPRIATION
SHALL BE REDUCED BY THE SHORTFALL IN EITHER ACTUAL OR PROJECTED BUDGETED REVENUE

TOTAL
ESTIMATED SOURCE OF FUNDS FGP
SUPERIOR COURT
01 OTHER AGENCY FUNDS
02 HIGHWAY FUNDS
03 GENERAL FUND
TOTAL
11,487,118
12,637,321

02 ADMIN OF JUSTICE & PUBLIC PRTN
01 JUDICIAL BRANCH
03 PROBATE COURT

10 PERSONAL SERVICES - PERMANENT
11 JUDGES
12 RETIRED JUSTICES
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
30 EQUIPMENT

1,126,522
361,021
67,836
106,431
1,852
15,292
10,122

4,605,380
1,712,559
342,263
544,878
43,120
3,120
133,678
67,600
59,902
58,254
345,204
354,013
1,187,000
3,000
3,000
20,000
525,223
330,000
1,270,000

105,000
1,000,000
59,902
10,322,216
11,487,118

1,150,865
361,521
67,836
106,431
1,852
15,292
10,625

1,150,865
361,521
67,836
106,431
1,852
15,292
10,625

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32 ADMIN OF JUSTICE & PUBLIC PRIN						
01 JUDICIAL BRANCH						
03 PROBATE COURT						
50 PERSONAL SERVICES - OTHER						
60 BENEFITS			26,207		26,207	
70 IN-STATE TRAVEL			348,742		372,409	
97 TPR/GUARDIANSHIP			3,300		3,300	
			70,000		70,000	
* IN THE EVENT THAT ESTIMATED PENALTY ASSESSMENT						
REVENUE IS LESS THAN BUDGETED, THE TOTAL APPRO-						
PRIATION SHALL BE REDUCED BY THE SHORTFALL						
IN EITHER ACTUAL OR PROJECTED BUDGETED REVENUE						
TOTAL			2,137,377		2,212,172	
ESTIMATED SOURCE OF FUNDS FOR						
PROBATE COURT						
02 PROBATE COURT INCOME			10,172		10,825	
03 GENERAL FUND			2,127,205		2,201,347	
TOTAL			2,137,377		2,212,172	
02 ADMIN OF JUSTICE & PUBLIC PRIN						
03 JUDICIAL BRANCH						
04 DISTRICT AND MUNICIPAL COURTS						
10 PERSONAL SERVICES - PERMANENT						
11 JUDGES			3,295,130		3,366,863	
12 RETIRED JUSTICES WIDOWS			2,428,788		2,484,284	
20 CURRENT EXPENSES			204,807		204,807	
22 RENTS & LEASES TO NON-STATE			630,437		630,437	
24 PAINT OTHER THAN BLDGGRNDS			2,000		29,044	
30 EQUIPMENT SERVICES - OTHER			2,000		2,000	
50 PERSONAL SERVICES - OTHER			49,864		49,864	
60 BENEFITS			35,037		53,116	
70 IN-STATE TRAVEL			349,500		349,500	
90 COURT MODERNIZATION			1,17,806		1,225,043	
93 WITNESS FEES & EXPENSES			550,000		600,000	
			1,040,374		1,040,374	
* IN THE EVENT THAT ESTIMATED PENALTY ASSESSMENT						
REVENUE IS LESS THAN BUDGETED, THE TOTAL APPRO-						
PRIATION SHALL BE REDUCED BY THE SHORTFALL						
IN EITHER ACTUAL OR PROJECTED BUDGETED REVENUE						
** IN THE EVENT THAT ESTIMATED AGED ACCOUNTS						

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02 ADMIN OF JUSTICE & PUBLIC PTIN (CONT.)
 01 JUDICIAL BRANCH (CONT.)
 04 DISTRICT AND MUNICIPAL COURTS

RECEIVABLE REVENUE OF 180 DAYS OLD OR MORE ARE
 NOT RECORDED. TOTAL AMOUNTS SHOULD BE
 REDUCED BY THE SHORTFALL IN EITHER ACTUAL OR

TOTAL	9,972,352	10,222,220
ESTIMATED SOURCE OF FUNDS FOR		
02 JUDICIAL BRANCH	1,000,000	1,000,000
03 HIGHWAY FUNDS	585,037	623,199
05 AGENCY INCOME	8,387,315	8,600,022
GENERAL FUND	9,972,352	10,222,220
TOTAL		
02 ADMIN OF JUSTICE & PUBLIC PTIN		
01 JUDICIAL BRANCH		
05 STATE WIDE EXPENDITURES		
90 LIBRARY	100,000	100,000
91 CONTINUING EDUCATION	100,000	100,000
92 COURT FACILITIES	3,500,000	3,500,000
93 COURT TECHNOLOGY	10,000	10,000
94 PROFESSIONAL CONDUCT	5,000	5,000
98 COURT COMPUTERIZATION	250,000	250,000
TOTAL	3,965,000	3,965,000
ESTIMATED SOURCE OF FUNDS FOR		
05 STATE WIDE EXPENDITURES	250,000	250,000
05 AGENCY INCOME	3,715,000	3,715,000
GENERAL FUND	3,965,000	3,965,000
TOTAL		

* IN THE EVENT THAT ESTIMATED PENALTY ASSESSMENT
 REVENUE IS LESS THAN BUDGETED, THE TOTAL APPROPRIATION
 SHALL BE REDUCED BY THE SHORTFALL IN EITHER ACTUAL OR PROJECTED
 BUDGETED REVENUE

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02 ADMIN OF JUSTICE & PUBLIC PRIN
03 JUDICIAL BRANCH
06 COURT SECURITY

10 PERSONAL SERVICES - PERMANENT
60 BENEFITS
92 SHERIFF REIMBURSEMENT
93 SECURITY

37,488
8,997
120,000
100,000

*
IN THE EVENT THAT ESTIMATED PENALTY ASSESSMENT
REVENUE IS LESS THAN BUDGETED, THE TOTAL APPROPRIATION SHALL BE REDUCED BY THE SHORTFALL
IN EITHER ACTUAL OR PROJECTED BUDGETED REVENUE

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
COURT SECURITY
COURT SECURITY INCOME
GENERAL FUND
TOTAL
266,110
100,000
166,110
266,110
266,485
100,000
166,485
266,485

02 ADMIN OF JUSTICE & PUBLIC PRIN
03 JUDICIAL BRANCH
07 BAR EXAMINERS

11 BAR EXAMINERS COMPENSATION
20 CURRENT EXPENSES
50 PERSONAL SERVICES - OTHER
60 BENEFITS
80 OUT-OF-STATE TRAVEL

8,000
13,392
2,200
2,008
600

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
BAR EXAMINERS
GENERAL FUND
TOTAL
26,200
26,200
26,200
26,200

THE SUPREME COURT SHALL ESTABLISH FEES TO
RECOVER ON AN ANNUAL OR BIENNIAL BASIS, THE
FULL COST OF THE PROGRAM INCLUDING THE COST
OF SUPPORT AND ADMINISTRATIVE SERVICES
OF THE BAR EXAMINERS PROGRAM. THE FEES OF THE
DIRECTOR OF THE PROGRAM, WHICHEVER IS
GREATER FEES ESTABLISHED FOR EXAMINATIONS
MAY BE EXPENDED FOR EXAMINATIONS, RELATED

HE 0000	PAGE	66	05 01 80	CONT 1	CONT 2	FISCAL YEAR 1990	FISCAL YEAR 1991
<p>SERVICES, OF SUPPLIES AS NEEDED BUT NOT TO EXCEED THE DIRECT COST OF THE EXAMINATION</p>							
<p>ESTIMATED SOURCE OF FUNDS FOR</p>							
<p>JUDICIAL BRANCH</p>							
<p>01 JUDICIAL BRANCH</p>							
<p>01 BAR EXAMINERS</p>							
<p>TOTAL</p>							
<p>02 ADMIN OF JUSTICE & PUBLIC PRIN</p>							
<p>02 JUDICIAL GENERAL DEPARTMENT</p>							
<p>01 NEW HAMPSHIRE NATIONAL GUARD</p>							
<p>01 CENTRAL ADMINISTRATIVE OFFICE</p>							
<p>10 PERSONAL SERVICES - PERMANENT</p>							
<p>11 SALARY OF ADJUTANT GENERAL</p>							
<p>20 CURRENT EXPENSES</p>							
<p>22 RENTS & LEASES TO NON-STATE</p>							
<p>23 HEAT, ELECTRICITY & WATER</p>							
<p>40 CONTRACTUAL MAINT-BLDGSCND</p>							
<p>50 PERSONAL SERVICES - OTHER</p>							
<p>60 BENEFITS</p>							
<p>70 IN-STATE TRAVEL</p>							
<p>80 OUT-STATE TRAVEL</p>							
<p>92 DEPARTMENTAL MAINT-DEPAIP</p>							
<p>TOTAL</p>							
<p>ESTIMATED SOURCE OF FUNDS FOR</p>							
<p>CENTRAL ADMINISTRATIVE OFFICE</p>							
<p>01 CENTRAL ADMINISTRATIVE OFFICE</p>							
<p>GENERAL FUND</p>							
<p>TOTAL</p>							
<p>02 ADMIN OF JUSTICE & PUBLIC PRIN</p>							
<p>02 JUDICIAL GENERAL DEPARTMENT</p>							
<p>01 NEW HAMPSHIRE NATIONAL GUARD</p>							
<p>02 ARMY NAT GUARD FACILITIES</p>							
<p>10 PERSONAL SERVICES - PERMANENT</p>							
<p>11 SALARY OF ADJUTANT GENERAL</p>							
<p>20 CURRENT EXPENSES</p>							
<p>22 RENTS & LEASES TO NON-STATE</p>							
<p>23 HEAT, ELECTRICITY & WATER</p>							
<p>40 CONTRACTUAL MAINT-BLDGSCND</p>							
<p>50 PERSONAL SERVICES - OTHER</p>							
<p>60 BENEFITS</p>							
<p>70 IN-STATE TRAVEL</p>							
<p>80 OUT-STATE TRAVEL</p>							
<p>92 DEPARTMENTAL MAINT-DEPAIP</p>							
<p>TOTAL</p>							
<p>ESTIMATED SOURCE OF FUNDS FOR</p>							
<p>CENTRAL ADMINISTRATIVE OFFICE</p>							
<p>01 CENTRAL ADMINISTRATIVE OFFICE</p>							
<p>GENERAL FUND</p>							
<p>TOTAL</p>							
<p>02 ADMIN OF JUSTICE & PUBLIC PRIN</p>							
<p>02 JUDICIAL GENERAL DEPARTMENT</p>							
<p>01 NEW HAMPSHIRE NATIONAL GUARD</p>							
<p>02 ARMY NAT GUARD FACILITIES</p>							
<p>10 PERSONAL SERVICES - PERMANENT</p>							
<p>11 SALARY OF ADJUTANT GENERAL</p>							
<p>20 CURRENT EXPENSES</p>							
<p>22 RENTS & LEASES TO NON-STATE</p>							
<p>23 HEAT, ELECTRICITY & WATER</p>							
<p>40 CONTRACTUAL MAINT-BLDGSCND</p>							
<p>50 PERSONAL SERVICES - OTHER</p>							
<p>60 BENEFITS</p>							
<p>70 IN-STATE TRAVEL</p>							
<p>80 OUT-STATE TRAVEL</p>							
<p>92 DEPARTMENTAL MAINT-DEPAIP</p>							
<p>TOTAL</p>							
<p>ESTIMATED SOURCE OF FUNDS FOR</p>							
<p>CENTRAL ADMINISTRATIVE OFFICE</p>							
<p>01 CENTRAL ADMINISTRATIVE OFFICE</p>							
<p>GENERAL FUND</p>							
<p>TOTAL</p>							

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02 ADMIN OF JUSTICE & PUBLIC PRTN 02 ADJUTANT GENERAL DEPARTMENT 01 NEW HAMPSHIRE NATIONAL GUARD 02 ARMY NAT GUARD FACILITIES							
				(CONT.)			
				(CONT.)			
				(CONT.)			
				(CONT.)			
TOTAL					31,267		32,865
ESTIMATED SOURCE OF FUNDS FOR							
UNIFORM ALLOWANCE							
00 FEDERAL FUNDS							
TOTAL					31,267		32,865
02 ADMIN OF JUSTICE & PUBLIC PRTN							
02 ADJUTANT GENERAL DEPARTMENT							
01 NEW HAMPSHIRE NATIONAL GUARD							
03 UNIFORM ALLOWANCE							
TOTAL				11,375		11,375	
90 UNIFORM ALLOWANCE							
TOTAL					11,375		11,375
ESTIMATED SOURCE OF FUNDS FOR							
UNIFORM ALLOWANCE							
GENERAL FUND							
TOTAL					11,375		11,375
02 ADMIN OF JUSTICE & PUBLIC PRTN							
02 ADJUTANT GENERAL DEPARTMENT							
01 NEW HAMPSHIRE NATIONAL GUARD							
04 STATE MILITARY RESERVATION							
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
UNIFORM ALLOWANCE							
GENERAL FUND							
TOTAL							
10 PERSONAL SERVICES - PERMANENT							
20 CURRENT EXPENSES				43,630		45,023	
23 HEAT, ELECTRICITY & WATER				10,500		11,000	
41 AUTOIT FUND SET ASIDE				135,030		143,094	
42 TRANSFER TO COLA				146		154	
50 DEPARTMENTAL MAINT-REPAIR				10,035		10,805	
TOTAL				59,150		63,082	
90 DEPARTMENTAL MAINT-REPAIR							
TOTAL					258,995		223,592
ESTIMATED SOURCE OF FUNDS FOR							
UNIFORM ALLOWANCE							
GENERAL FUND							
TOTAL					194,246		187,894
01 NEW HAMPSHIRE NATIONAL GUARD							
02 ARMY NAT GUARD FACILITIES							
TOTAL					64,749		35,698
03 UNIFORM ALLOWANCE							
TOTAL					258,995		223,592

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02 ADMIN OF JUSTICE & PUBLIC PRTN								
02 ADJUTANT GENERAL DEPARTMENT								
01 NEW HAMPSHIRE NATIONAL GUARD								
05 PEASE AIR FORCE BASE								
10 PERSONAL SERVICES - PERMANENT								
20	CURRENT EXPENSES			70,007			71,122	
23	HEAT - ELECTRICITY & WATER			25,000			35,100	
41	AUDIT FUND SET ASIDE	0		222,500			248,500	
42	TRANSFER TO COLA	0		1,325			1,245	
60	BENEFITS			16,102			17,069	
90	DEPARTMENTAL MAIN-REPAIR			10,000			10,000	
TOTAL				345,093			381,700	
TOTAL ESTIMATED SOURCE OF FUNDS FOR								
PEASE AIR FORCE BASE								
00	FEDERAL FUNDS			258,820			286,236	
00	FEDERAL FUNDS			346,273			385,464	
TOTAL				345,093			381,700	
02 ADMIN OF JUSTICE & PUBLIC PRTN								
02 ADJUTANT GENERAL DEPARTMENT								
01 NEW HAMPSHIRE NATIONAL GUARD								
06 AIR GUARD SECURITY								
10 PERSONAL SERVICES - PERMANENT								
41	AUDIT FUND SET ASIDE	0		19,407			19,407	
42	TRANSFER TO COLA			340			340	
60	BENEFITS			4,464			4,658	
TOTAL				24,236			24,431	
ESTIMATED SOURCE OF FUNDS FOR								
AIR GUARD SECURITY								
00	FEDERAL FUNDS			24,236			24,431	
TOTAL				24,236			24,431	
02 ADMIN OF JUSTICE & PUBLIC PRTN								
02 ADJUTANT GENERAL DEPARTMENT								
01 NEW HAMPSHIRE NATIONAL GUARD								
07 N H MILITARY ACADEMY								
20 CURRENT EXPENSES								
45	PERSONNEL SVCS-NON BENEFIT			700			700	
TOTAL				1,000			1,000	
ESTIMATED SOURCE OF FUNDS FOR								
N H MILITARY ACADEMY								
00	FEDERAL FUNDS			1,700			1,700	
TOTAL				1,700			1,700	

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02 ADMIN OF JUSTICE & PUBLIC PRIN						
00 ADJUTANT GENERAL DEPARTMENT						
01 NEW HAMPSHIRE NATIONAL GUARD						
08 ARMY NATIONAL GUARD TRAIN SITE						
10 PERSONAL SERVICES - PERMANENT						
41 AUDIT FUND SET ASIDE						
42 TRANSFER TO COLA						
50 PERSONAL SERVICES - OTHER						
60 BENEFITS						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ARMY NATIONAL GUARD TRAIN SITE						
00 FEDERAL FUNDS						
TOTAL						
02 ADMIN OF JUSTICE & PUBLIC PRIN						
00 ADJUTANT GENERAL DEPARTMENT						
01 NEW HAMPSHIRE NATIONAL GUARD						
09 ARMORY RENTAL AND USAGE SUPPORT						
50 PERSONAL SERVICES - PERMANENT						
60 BENEFITS						
70 IN-STATE TRAVEL						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ARMORY RENTAL AND USAGE SUPPORT						
00 AGENCY INCOME						
TOTAL						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
NEW HAMPSHIRE NATIONAL GUARD						
FEDERAL FUNDS						
GENERAL FUND						
OTHER FUNDS						
TOTAL						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ADJUTANT GENERAL DEPARTMENT						
FEDERAL FUNDS						
GENERAL FUND						
OTHER FUNDS						
TOTAL						

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02 ADMIN OF JUSTICE & PUBLIC PRIN
03 AGRICULTURE
01 OFFICE OF COMMISSIONER

- 10 PERSONAL SERVICES - PERMANENT
- 11 SALARY OF COMMISSIONER
- 20 CURRENT EXPENSES
- 22 RENTS & LEASES TO NON-STATE
- 24 MAINT OTHER THAN BLDGS&GRDS
- 70 IN-STATE TRAVEL
- 80 OUT-OF-STATE TRAVEL
- 91 DISTRIBUTION TO FAIRS

56,800
48,995
8,966
59,038
24,250
25,182
3,084
2,000
150,000

• OF THIS SUM, THE COMMISSIONER OF AGRICULTURE SHALL DISTRIBUTE \$50,000 FOR PREMIUMS AT THE RATE OF \$2,000 PER FAIR, WITH THE BALANCE TO BE DISTRIBUTED TO EACH FAIR ON A PRO RATA BASIS. THE PREMIUM PAID BY EACH FAIR \$25,500 FOR PROMOTION AT THE RATE OF \$1,000 PER FAIR WITH THE BALANCE TO BE DISTRIBUTED ON A PRO RATA BASIS. BASED UPON THE PROMOTION EXPENSES OF EACH FAIR, THE COMMISSIONER SHALL DISTRIBUTE THE REMAINING \$50,000 FOR PHYSICAL IMPROVEMENTS. SHALL REQUIRE MATCHING FUNDS FROM THE FAIRS, PROVIDING THAT NO FAIR SHALL RECEIVE FUNDS GREATER THAN THE SHARE RECEIVED UNDER THE DISTRIBUTION OF PREMIUMS. THE COMMISSIONER SHALL DISTRIBUTE FUNDS FOR PHYSICAL IMPROVEMENTS SHALL BE DISTRIBUTED ON A PRO RATA BASIS AMONG THE FAIRS WHICH QUALIFIED FOR PHYSICAL IMPROVEMENT FUNDS

• THE COMMISSIONER OF AGRICULTURE SHALL PROVIDE ASSISTANCE TO FAIRS FOR PROMOTIONAL ACTIVITIES BASED UPON A PRO RATA BASIS OF PREMIUMS AND PROMOTION EXPENSES OF EACH FAIR

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
OFFICE OF COMMISSIONER
GENERAL FUND
TOTAL

351,550
351,550
351,550

353,745
353,745
353,745

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02 ADMIN OF JUSTICE & PUBLIC PRIN								
03 AGRICULTURE								
02 BUR WEIGHTS & MEASURES								
10 PERSONAL SERVICES - PERMANENT								
20 CURRENT EXPENSES								
22 RENTS & LEASES TO NON-STATE					153,381		153,581	
24 MAINT OTHER THAN BLDG&GRNDS					8,998		8,998	
30 EQUIPMENT SERVICES - OTHER					500		400	
60 BENEFITS					116		116	
70 IN-STATE TRAVEL					10,180		10,180	
80 OUT-OF-STATE TRAVEL					25,000		25,000	
91 1 H HEAVY TESTING TRK./OPER/V1					37,191		38,772	
TOTAL					10,881		10,881	
ESTIMATED SOURCE OF FUNDS FOR					1,500		1,500	
BUR WEIGHTS & MEASURES					8,000		8,000	
GENERAL FUND								
TOTAL					264,367		257,448	
02 ADMIN OF JUSTICE & PUBLIC PRIN								
03 AGRICULTURE					264,367		257,448	
03 BUREAU OF MARKETS					264,367		257,448	
10 PERSONAL SERVICES - PERMANENT								
20 CURRENT EXPENSES								
22 RENTS & LEASES TO NON-STATE					115,259		117,451	
24 MAINT OTHER THAN BLDG&GRNDS					6,308		6,308	
60 BENEFITS					132		132	
70 IN-STATE TRAVEL					197		197	
80 OUT-OF-STATE TRAVEL					26,510		28,188	
90 UNH FERTIL FEED & SEED TESTIN					3,746		3,746	
TOTAL					166		166	
ESTIMATED SOURCE OF FUNDS FOR					21,840		21,840	
BUREAU OF MARKETS								
GENERAL FUND								
TOTAL					174,398		178,268	
02 ADMIN OF JUSTICE & PUBLIC PRIN								
03 AGRICULTURE					174,398		178,268	
03 BUREAU OF MARKETS					174,398		178,268	

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 02 ADMIN OF JUSTICE & PUBLIC PRIN
 03 AGRICULTURE
 04 DIV ANIMAL INDUSTRY

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10 PERSONAL SERVICES - PERMANENT
 11 ADMINISTRATIVE - VETERINARIAN
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINT OTHER THAN BLAGRNO
 28 TRANSFERS TO GEN L SERVICES
 35 PERSONEL SVCS-NON-BENEFIT
 45 PERSONAL SERVICES - OTHER
 50 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 INDEMNITIES COMPENED ANIMAL
 94 OPERATION VET DIAG LAB
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DIV ANIMAL INDUSTRY
 GENERAL FUND
 TOTAL

213,136
 41,222
 20,340
 5,000
 150
 20,641
 20,959
 8,200
 11,250
 10,000
 59,267
 42,400
 10,165
 3,389
 500
 42,800

446,833

452,062

446,833

452,062

452,062

FEES DEPOSITED WITH GENERAL FUND FOR THE
 BIENNIAL ENDING JUNE 30, 1991: ALL REVENUE
 RECEIVED FROM LABORATORY, PHOIDS, P L O TEST-
 ING SHARED DEPOSITED WITH STATE TREASURER
 AS UNRESTRICTED GENERAL FUND REVENUE.

02 ADMIN OF JUSTICE & PUBLIC PRIN
 03 AGRICULTURE
 05 REGULATION PROGRAMS
 01 EGG SURVEILLANCE

20 CURRENT EXPENSES
 41 AUDIT FUND SET-ASIDE
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

1,528
 19
 8,600
 658
 6,070
 1,200

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 EGG SURVEILLANCE
 01 FEDERAL FUNDS
 TOTAL

18,075

18,075

18,075

18,075

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
03 AGRICULTURE					
05 AGRI REGULATION PROGRAMS					
02 PESTICIDE CONTROL					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	134,882			137,255	
22 RENTALS	12,362			12,362	
24 RENTALS TO NON-STATE	1,118			1,118	
26 RENTALS OTHER THAN BLDGGRNDS	900			900	
30 EQUIPMENT	8,200			9,000	
40 INDIRECT COSTS	4,544			4,544	
41 AUDIT FUND SET ASIDE	15			15	
50 PERSONAL SERVICES - OTHER	5,325			5,325	
60 BENEFITS	31,451			33,349	
70 IN-STATE TRAVEL	7,200			7,200	
80 OUT-OF-STATE TRAVEL	1,000			1,000	
TOTAL	206,241		211,332		
ESTIMATED SOURCE OF FUNDS FOR					
PESTICIDE CONTROL					
00 FEDERAL FUNDS	15,000		15,000		
01 OTHER AGENCY FUNDS	132,364		132,364		
GENERAL FUND	158,977		158,977		
TOTAL	206,241		211,332		
TOTAL		224,316	229,407		
ESTIMATED SOURCE OF FUNDS FOR					
PESTICIDE CONTROL PROGRAMS					
FEDERAL FUNDS	33,075		33,075		
GENERAL FUND	158,877		158,877		
OTHER FUNDS	32,364		32,364		
TOTAL	224,316		229,407		
02 ADMIN OF JUSTICE & PUBLIC PRIN					
03 AGRICULTURE					
06 DIVISION OF PLANT INDUSTRY					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	106,284		108,089		
22 RENTALS	4,254		4,254		
24 RENTALS TO NON-STATE	1,118		1,118		
26 RENTALS OTHER THAN BLDGGRNDS	114		114		
30 EQUIPMENT	24,468		25,312		
40 INDIRECT COSTS	5,708		5,712		
41 AUDIT FUND SET ASIDE	800		800		
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL	142,046		144,828		
ESTIMATED SOURCE OF FUNDS FOR					
DIVISION OF PLANT INDUSTRY					
GENERAL FUND	142,046		144,828		

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
03 AGRICULTURE					
06 DIVISION OF PLANT INDUSTRY					
TOTAL				142,046	144,828
02 ADMIN OF JUSTICE & PUBLIC PRIN					
03 AGRICULTURE					
07 SOIL CONSERVATION					
20 CURRENT EXPENSES		625			625
50 PERSONAL SERVICES - OTHER		14,812			14,812
60 BENEFITS		1,132			1,132
70 IN-STATE TRAVEL		1,000			1,000
95 CONSERVATION DISTRICT GRANTS		16,500			16,500
TOTAL				34,070	34,070
ESTIMATED SOURCE OF FUNDS FOR					
SOIL CONSERVATION					
CENTRAL FUND					
TOTAL				34,070	34,070
02 ADMIN OF JUSTICE & PUBLIC PRIN					
03 AGRICULTURE					
06 DIV AGRICULTURAL DEVELOPMENT					
10 PERSONAL SERVICES - REPERMENT		43,365			43,742
20 CURRENT EXPENSES - UNCLASSIFIED		37,518			37,995
23 HEAT, ELECTRICITY & WATER		113,516			113,516
24 MAINT OTHER THAN BLDGGRNDS		1,800			1,800
50 PERSONAL SERVICES - OTHER		7,000			7,000
60 BENEFITS		19,139			20,393
70 IN-STATE TRAVEL		1,900			1,900
80 OUT-OF-STATE TRAVEL		1,500			1,500
90 APPLE MARKETING BOARD		20,000			20,000
91 APPLE GROWERS ASSESSMENT		6,845			6,845
92 MARKETING AND LAND PROTECTION		17,000			17,000
95 BUILDING ACCOUNT		16,718			15,490
TOTAL				286,651	288,531
ESTIMATED SOURCE OF FUNDS FOR					
DIV AGRICULTURAL DEVELOPMENT					
05 PRIVATE LOCAL FUNDS					
GENERAL FUND					
TOTAL				23,500	23,500
				40,000	40,000
				288,531	288,531
				286,651	286,651

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 02 ADMIN OF JUSTICE & PUBLIC PRIN
 03 AGRICULTURE
 09 VETERINARY EXAMINERS BOARD

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10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 40 TRANS TO OTHER STATE AGS
 45 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 VETERINARY EXAMINERS BOARD
 GENERAL FUND
 TOTAL

17,124
 4,590
 180
 5,820
 4,239
 4,239
 1,140
 400
 39,641
 39,641
 40,670
 40,670

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
 ALREADY ESTABLISHED FEES FOR EXAMINATION
 APPLICANTS, APPLICANTS FOR A LICENSE OR
 REGISTRATION, A PUBLICATION WHICH THEY SELL, OR
 ALLY AUTHOR PROGRAMS WHICH THEY SELL, OR
 RULES UNDER RSA 941-A RELATIVE TO FEES FOR SUCH
 PROGRAMS. SUCH FEES SHALL RECOVER, ON AN
 ANNUAL OR BIENNIAL BASIS, THE FULL COST OF THE
 PROGRAMS INCLUDING THE COSTS OF THE BOARD OR
 AGENCIES, OR 125% OF THE DIRECT COST OF THE
 BOARD OR COMMISSION RELATING TO THE PROGRAM,
 WHICHEVER IS GREATER. A BOARD OR COMMISSION
 WHICH ESTABLISHES FEES FOR EXAMINATION
 APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINA-
 TIONS, RELATED SERVICES, OR SUPPLIES, AS
 NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF
 THE EXAMINATION

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 AGRICULTURE
 GENERAL FUND
 TOTAL

1,963,872
 32,075
 1,850,080
 95,864
 1,979,019

14E 0200 PAGE 7E 05 14 89		----- FISCAL YEAR 1980 -----		----- FISCAL YEAR 1991 -----	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
04 DEPARTMENT OF JUSTICE					
01 DIVISION OF ADMINISTRATION					
01 ADMINISTRATIVE					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF ATTORNEY GENERAL	185 667		185 072		
12 DEPUTY ATTORNEY GENERAL	64 406		64 406		
13 SALARY OF ATTORNEY GENERAL	59 265		59 265		
20 CURRENT EXPENSES	31 600		31 600		
22 RENT & LEASES TO NON-STATE	1 600		1 600		
24 MAINT OTHER THAN BLDG&GRNDS	34 254		34 254		
29 TRANSFERS TO INFO SERVICES	2 000		2 000		
30 EQUIPMENT SERVICES - OTHER	3 650		3 650		
60 BENEFITS	71 912		71 912		
70 IN-STATE TRAVEL	2 850		2 850		
80 OUT-OF-STATE TRAVEL	6 000		6 000		
90 LAW BOOKS	18 000		18 000		
95 MAGAZINE JOURNALS	15 000		15 000		
99 UNIFORM STATE LAWS	4 800		4 800		
TOTAL ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATIVE GENERAL FUND	554 894		547 070		
TOTAL	554 894		547 070		
02 ADMIN OF JUSTICE & PUBLIC PRIN			547 070		
04 DEPARTMENT OF JUSTICE			547 070		
01 DIVISION OF ADMINISTRATION			547 070		
02 SAC					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	55 039		55 039		
24 MAINT OTHER THAN BLDG&GRNDS	3 883		3 883		
41 AUDIT FUND SET ASIDE	200		200		
60 BENEFITS TO COLA	80		80		
70 IN-STATE TRAVEL	12 659		13 209		
80 OUT-OF-STATE TRAVEL	250		250		
TOTAL	1 050		1 050		
TOTAL ESTIMATED SOURCE OF FUNDS FOR SAC	73 939		74 489		
00 FEDERAL FUNDS	50 000		50 000		
GENERAL FUND	23 939		24 489		
TOTAL	73 939		74 489		
TOTAL ESTIMATED SOURCE OF FUNDS FOR DIVISION OF ADMINISTRATION	626 833		621 559		

	HP 0200	PAGE 78	05-04-89		FISCAL YEAR 1990	FISCAL YEAR 1991
02 ADMIN OF JUSTICE & PUBLIC PRTN						
04 DEPARTMENT OF JUSTICE						
02 DIVISION OF PUBLIC PROTECTION						
02 CONSUMER PROTECTION						
90 LEGAL BOOKS						
92 COURT FEES						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
CONSUMER PROTECTION						
GENERAL FUND						
TOTAL						
					555,985	571,532
02 ADMIN OF JUSTICE & PUBLIC PRTN						
04 DEPARTMENT OF JUSTICE						
02 DIVISION OF PUBLIC PROTECTION						
03 ANTI TRUST						
10 PERSONAL SERVICES - PERMANENT						
13 ASSISTANT ATTORNEYS GENERAL						
20 CURRENT EXPENSES						
24 MAINT OTHER THAN BLDGGRNDS						
50 BENEFITS						
60 TRAVEL						
80 OUT-OF-STATE TRAVEL						
90 LEGAL BOOKS						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ANTI TRUST						
09 AGENCY INCOME						
TOTAL						
					78,716	81,805
02 ADMIN OF JUSTICE & PUBLIC PRTN						
04 DEPARTMENT OF JUSTICE						
02 DIVISION OF PUBLIC PROTECTION						
04 ENVIRONMENTAL						
10 PERSONAL SERVICES - PERMANENT						
13 ASSISTANT ATTORNEYS GENERAL						
14 INVESTIGATORS						
20 CURRENT EXPENSES						
24 MAINT OTHER THAN BLDGGRNDS						
50 EQUIPMENT						
60 BENEFITS						
70 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
90 LEGAL BOOKS						
92 COURT FEES						
TOTAL						
					557,806	571,532
02 ADMIN OF JUSTICE & PUBLIC PRTN						
04 DEPARTMENT OF JUSTICE						
02 DIVISION OF PUBLIC PROTECTION						
04 ENVIRONMENTAL						
10 PERSONAL SERVICES - PERMANENT						
13 ASSISTANT ATTORNEYS GENERAL						
14 INVESTIGATORS						
20 CURRENT EXPENSES						
24 MAINT OTHER THAN BLDGGRNDS						
50 EQUIPMENT						
60 BENEFITS						
70 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
90 LEGAL BOOKS						
92 COURT FEES						
TOTAL						
					557,806	571,532

	FISCAL YEAR 1990	FISCAL YEAR 1991
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02 ADMIN OF JUSTICE & PUBLIC PRTN
04 DEPARTMENT OF JUSTICE
02 DIVISION OF PUBLIC PROTECTION
04 ENVIRONMENTAL

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(CONT.)
(CONT.)
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ESTIMATED SOURCE OF FUNDS FOR
ENVIRONMENTAL
01 OTHER AGENCY FUNDS
GENERAL FUND
TOTAL

114,834
442,972
557,806

114, 834
433, 831
548, 665

02 ADMIN OF JUSTICE & PUBLIC PRTN
04 DEPARTMENT OF JUSTICE
02 DIVISION OF PUBLIC PROTECTION
05 CHIEF MEDICAL EXAMINER

10 PERSONAL SERVICES - PERMANENT
15 CHIEF MEDICAL EXAMINER
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
30 EQUIPMENT
60 BENEFITS
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
90 MEDICAL EXPENSES

38,863	39,772
86,104	86,104
7,525	7,512
36,750	38,588
6,000	
28,742	30,211
2,750	2,750
2,000	2,000
10,000	10,000

216,938

218,734

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
CHIEF MEDICAL EXAMINER
GENERAL FUND
TOTAL

216,938
216,938

02 ADMIN OF JUSTICE & PUBLIC PRTN
04 DEPARTMENT OF JUSTICE
02 DIVISION OF PUBLIC PROTECTION
06 MEDICAID FRAUD

10	PERSONAL SERVICES - PERMANENT
11	ATTORNEY'S GENERAL
12	ASSISTANT ATTORNEY GENERAL
13	CURRENT EXPENSES
14	RENTS & LEASES TO NON-STATE
15	RENTS & LEASES TO BLDGGRS
16	EQUIPMENT
17	AUDIT FUND SET ASIDE
18	TRANSFER TO COLA
19	BENEFITS
20	IN-STATE TRAVEL
21	OUT-OF-STATE TRAVEL
22	LEGAL 800'S
23	NAAG

91,826	262
90,571	4,185
76,154	56,803
68,700	8
66,700	500
60,551	500
50,500	550
4,500	
4,256	
4,131	
53,223	
6,631	
8,500	
5,000	
550	

91,826

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<div>02 ADMIN OF JUSTICE & PUBLIC PRTN</div> <div>04 DEPARTMENT OF JUSTICE</div> <div>02 DIVISION OF PUBLIC PROTECTION</div> <div>06 MEDICAID FRAUD</div>					
				(CONT)	
				(CONT)	
				(CONT)	
				(CONT)	
TOTAL				349,379	349,227
ESTIMATED SOURCE OF FUNDS FOR					
MEDICAID FRAUD				255,311	261,952
00 FEDERAL FUNDS				87,068	87,284
GENERAL FUND				340,799	349,227
TOTAL					
<div>02 ADMIN OF JUSTICE & PUBLIC PRTN</div> <div>04 DEPARTMENT OF JUSTICE</div> <div>02 DIVISION OF PUBLIC PROTECTION</div> <div>07 VICTIM'S A & C</div>					
				20,611	21,470
10 PERSONAL SERVICES - PERMANENT				26,110	26,110
14 INVESTIGATOR				16,026	16,026
20 CURRENT EXPENSES				10,273	11,419
20 CURRENTS				8,000	8,000
70 IN-STATE TRAVEL				1,500	1,500
80 OUT-OF-STATE TRAVEL				3,250	3,250
90 VICTIM COMPENSATION				279,280	279,280
97 VICTIM ASSISTANCE					278,046
TOTAL				420,000	420,000
ESTIMATED SOURCE OF FUNDS FOR					
VICTIM'S A & C				420,000	420,000
00 AGENCY INCOME				420,000	420,000
TOTAL					
<div>02 ADMIN OF JUSTICE & PUBLIC PRTN</div> <div>04 DEPARTMENT OF JUSTICE</div> <div>02 DIVISION OF PUBLIC PROTECTION</div> <div>08 VICTIM SERVICES</div>					
				22,500	22,500
90 VICTIM SERVICES					
TOTAL				22,500	22,500
ESTIMATED SOURCE OF FUNDS FOR					
VICTIM SERVICES				22,500	22,500
GENERAL FUND				22,500	22,500
TOTAL					
TOTAL				3,138,858	3,207,494
ESTIMATED SOURCE OF FUNDS FOR					
DIVISION OF PUBLIC PROTECTION				314,474	261,952
FEDERAL FUNDS					

		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
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(CONT.)					
(CONT.)					
(CONT.)					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
04 DEPARTMENT OF JUSTICE					
02 DIVISION OF PUBLIC PROTECTION					
GENERAL FUND					
OTHER FUNDS					
TOTAL					
2,170,128					
62,255					
3,138,858					
2,222,443					
722,098					
3,207,494					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
04 DEPARTMENT OF JUSTICE					
03 DIVISION OF LEGAL COUNSEL					
01 CIVIL LAW					
10 PERSONAL SERVICES - PERMANENT					
11 ASSISTANT ATTORNEYS GENERAL					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDGGRNDS					
30 EQUIPMENT					
50 TRAVEL					
60 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 LEGAL BOOKS					
92 COURT FEES					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
CIVIL LAW					
01 OTHER AGENCY FUNDS					
02 REVENUE INCOME					
GENERAL FUND					
TOTAL					
189,995					
516,623					
30,600					
2,500					
1,400					
2,400					
162,532					
174,536					
4,000					
8,500					
1,500					
1,200					
919,990					
950,468					
49,582					
20,000					
850,408					
919,990					
950,468					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
04 DEPARTMENT OF JUSTICE					
03 DIVISION OF LEGAL COUNSEL					
02 CHARITABLE TRUST					
10 PERSONAL SERVICES - PERMANENT					
13 ASSISTANT ATTORNEYS GENERAL					
20 CURRENT EXPENSES					
24 MAINT OTHER THAN BLDGGRNDS					
30 EQUIPMENT					
50 TRAVEL					
60 IN-STATE TRAVEL					
90 LEGAL BOOKS					
92 COURT FEES					
TOTAL					
141,805					
149,795					

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
04 DEPARTMENT OF JUSTICE					
03 DIVISION OF LEGAL COUNSEL					
02 CHAPTITABLE TRUST					
ESTIMATED SOURCE OF FUNDS FOR					
CHAPTITABLE TRUST					
09 AGENCY INCOME	141 805			149 795	
TOTAL	141 805			149 795	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
04 DEPARTMENT OF JUSTICE					
03 DIVISION OF LEGAL COUNSEL					
03 TRANSPORTATION					
10 PERSONAL SERVICES - PERMANENT					
13 ASSESSMENT & REVENUE	40 278				
20 ASSESSMENT & REVENUE	213 679				
22 RENTS & LEASES TO NON-STATE	13 550				
24 MAINT OTHER THAN BLDGGRNDS	1 500				
30 EQUIPMENT	150				
60 BENEFITS	58 410				
80 OUT-OF-STATE TRAVEL	1 150				
90 LEGAL BOOKS	3 500				
TOTAL	1 000				
TOTAL ESTIMATED SOURCE OF FUNDS FOR	333 217			343 457	
TRANSPORTATION	333 217			343 457	
02 HIGHWAY FUNDS	333 217			343 457	
TOTAL		1,395,012			1,443,720
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
DIVISION OF LEGAL COUNSEL					
GENERAL FUND		850 408			880 886
OTHER FUNDS		544 604			562 834
TOTAL		1,395,012			1,443,720
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
DEPARTMENT OF JUSTICE					
FEDERAL FUNDS		364 474			311 953
GENERAL FUND		3 559 369			3 875 868
OTHER FUNDS		1 198 860			1 284 932
TOTAL		5,162,703			5,272,773

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
05 BANK COMMISSION					
01 GENERAL SERVICES AND ADMIN.					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF BANK COMMISSIONER		727,551		735,423	
12 SALARY OF DEPUTY BANK COMM		50,876		50,876	
13 CURRENT EXPENSES		48,895		49,095	
20 RENTS & LEASES TO NON-STATE		54,100		52,100	
23 HEAT, ELECTRICITY & WATER		35,000		35,000	
25 HEAT, ELECTRICITY & WATER		1,000		1,000	
24 MAINT OTHER THAN BLDGGRNDS		1,000		1,000	
29 TRANSFERS TO INFO. SERVICES		28,725		16,200	
40 EMPLOYMENT COSTS		19,000		19,000	
40 EMPLOYMENT COSTS		19,000		19,000	
50 PERSONAL SERVICES - OTHER		190,637		200,848	
60 BENEFITS		61,700		69,000	
70 IN-STATE TRAVEL		13,000		13,000	
80 OUT-OF-STATE TRAVEL		12,000		12,000	
93 DEPARTMENT RELOCATION		12,000		12,000	
TOTAL			1,251,102		1,274,160
ESTIMATED SOURCE OF FUNDS FOR					
GENERAL SERVICES AND ADMIN					
09 AGENCY INCOME			1,251,102		1,274,160
TOTAL			1,251,102		1,274,160
02 ADMIN OF JUSTICE & PUBLIC PRIN					
05 BANK COMMISSION					
02 SMALL LOAN & VEHICLE FINANCE					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		114,250		116,297	
22 RENTS & LEASES TO NON-STATE		3,500		3,750	
23 HEAT, ELECTRICITY & WATER		3,400		3,171	
25 HEAT, ELECTRICITY & WATER		8,750		9,400	
24 MAINT OTHER THAN BLDGGRNDS		1,250		1,000	
40 EMPLOYMENT COSTS		26,576		27,912	
60 BENEFITS		3,400		10,646	
70 IN-STATE TRAVEL					
80 OUT OF STATE TRAVEL					
TOTAL			165,781		170,876
ESTIMATED SOURCE OF FUNDS FOR					
SMALL LOAN & VEHICLE FINANCE					
09 AGENCY INCOME			165,781		170,876
TOTAL			165,781		170,876
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
BANK COMMISSION					
TOTAL			1,416,883		1,445,036

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02 ADMIN OF JUSTICE & PUBLIC PRTN					
05 BANK COMMISSION					
CONT 1					
COMMIT 1					
OTHER FUNDS					
TOTAL		1,416,883	1,445,036	1,416,883	1,445,036
02 ADMIN OF JUSTICE & PUBLIC PRTN					
06 REGULATORY BOARDS & COMMISSION					
01 ACCOUNTANCY BOARD OF					
01 ACCOUNTANCY BOARD OF					
20 CURRENT EXPENSES		8,687		8,687	
22 RENT		6,700		6,700	
25 EQUIPMENT		193		193	
50 PERSONAL SERVICES - OTHER		28,772		28,772	
60 BENEFITS		2,827		2,827	
70 IN-STATE TRAVEL		1,827		1,827	
50 UNIFORM CPA EXAM		14,704		14,704	
TOTAL		62,084		62,084	
ESTIMATED SOURCE OF FUNDS FOR					
ACCOUNTANCY BOARD OF		22,000		18,000	
09 AGENCY INCOME		40,084		44,084	
GENERAL FUND		62,084		62,084	
TOTAL					
TOTAL		62,084		62,084	
ESTIMATED SOURCE OF FUNDS FOR					
ACCOUNTANCY BOARD OF		40,084		44,084	
GENERAL FUND		22,000		18,000	
OTHER FUNDS		62,084		62,084	
TOTAL					
TOTAL		62,084		62,084	
02 ADMIN OF JUSTICE & PUBLIC PRTN					
06 REGULATORY BOARDS & COMMISSION					
02 JOINT BOARD					
01 JOINT BOARD					
10 PERSONAL SERVICES - PERMANENT		55,758		58,035	
20 CURRENT EXPENSES		37,755		29,914	
22 RENT		14,948		14,948	
25 EQUIPMENT		1,440		1,440	
30 HEAT, ELECTRICITY & WATER		1,440		1,440	
30 EQUIPMENT		5,200		5,200	
45 PERSONAL SVCS-NON BENEFIT		10,442		10,442	
50 PERSONAL SERVICES - OTHER		13,623		14,727	
60 BENEFITS					

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12 ADMIN. OF JUSTICE & PUBLIC PRIN
 06 REGULATORY BOARDS & COMMISSION
 02 JOINT BOARD
 01 JOINT BOARD

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 JOINT BOARD ROSTER

5,965
 3,962
 7,000

TOTAL

ESTIMATED SOURCE OF FUNDS FOR
 JOINT BOARD
 GENERAL FUND
 TOTAL

145,133
 145,133
 145,133

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 JOINT BOARD
 GENERAL FUND
 TOTAL

156,593
 156,593
 156,593

12 ADMIN. OF JUSTICE & PUBLIC PRIN
 06 REGULATORY BOARDS & COMMISSION
 03 BOXING & WRESTLING COMMISSION

20 CURRENT EXPENSES
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL

158
 961
 74
 442

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 BOXING & WRESTLING COMMISSION
 GENERAL FUND
 TOTAL

1,635
 1,635
 1,635

02 ADMIN. OF JUSTICE & PUBLIC PRIN
 06 REGULATORY BOARDS & COMMISSION
 04 PUBLIC EMPLOYEES LABOR RELAT'N
 01 PUBLIC EMPLOYEES LABOR RELATIO

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 RENTS & LEASES TO NON-STATE
 40 EQUIPMENT
 46 CONSULTANTS
 50 PERSONAL SERVICES - OTHER

73,690
 11,692
 14,860
 600
 200
 10,088
 11,213

72,473
 11,692
 14,860
 600
 8,210
 10,088
 11,426

----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991-----	
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02 ADMIN OF JUSTICE & PUBLIC PEIN (CONT)			
06 REGULATORY BOARDS & COMMISS (CONT)			
08 PUBLIC EMPLOYEES LABOR RELAT (CONT)			
01 PUBLIC EMPLOYEES LABOR RELATIO			
60 BENEFITS			
80 OUT-OF-STATE TRAVEL			
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR			
GENERAL FUND			
TOTAL			
ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS			
ALL BOARDS AND COMMISSIONS WHICH HAVE NOT			
ALREADY ESTABLISHED FEES FOR EXAMINATIONS OR			
REGISTRATION, A PUBLICATION WHICH THEY SELL, OR			
ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFIC-			
ALLY UNDER RSA 541-A RELATIVE TO FEES FOR SUCH			
PROGRAMS, SUCH AS THE SMALL BUSINESS DEVELOPMENT			
PROGRAM, INCLUDING THE FULL COST OF THE PROGRAM			
INCLUDING THE COST OF SUPPORT AND ADMINISTRAT-			
IVE SERVICES PROVIDED BY OTHER AGENCIES,			
OR 125% OF THE DIRECT COST OF THE BOARD OR			
COMMISSION RELATING TO EXAMINATIONS OR REGIS-			
TRATION, OR A BOARD OR COMMISSION WHICH			
ESTABLISHES FEES FOR EXAMINATION APPLICANTS,			
MAY EXPEND SUCH FUNDS FOR EXAMINATIONS,			
RELATED SERVICES, OR SUPPLIES AS NEEDED, BUT			
NOT TO EXCEED THE DIRECT COST OF THE			
EXAMINATION.			
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR			
GENERAL FUND			
TOTAL			
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR			
REGULATORY BOARDS & COMMISSION			
GENERAL FUND			
TOTAL			
TOTAL			

18,544
4,326
1,979

147,222

152,987

147,222
147,222
147,222

152,987
152,987
152,987

147,222

152,987

147,222
147,222

152,987
152,987

356,074

373,299

338,074
18,000
356,074

351,299
22,000
373,299

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

02 ADMIN OF JUSTICE & PUBLIC PRIN
 07 OFFICE OF EMERGENCY MANAGEMENT
 01 EMERGENCY MGT. ASSISTANCE
 01 EMERGENCY MGT. ASSIST-STATE

10 PERSONAL SERVICES - PERMANENT
 16 DIRECTOR EXPENSES
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 PERSONNEL EMPLOYMENT
 24 TRANSFER TO GEN. L. SERVICES
 30 EQUIPMENT
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 42 PERSONAL SERVICES - LOCAL
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 EMERGENCY MGT. ASSIST-STATE
 00 FEDERAL FUNDS
 00 GENERAL FUND
 TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
 07 OFFICE OF EMERGENCY MANAGEMENT
 01 EMERGENCY MGT. ASSISTANCE
 02 EMERGENCY MGT. ASSIST-LOCAL

41 AUDIT FUND SET ASIDE
 90 GRANTS & SUB

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 EMERGENCY MGT. ASSIST-LOCAL
 00 FEDERAL FUNDS
 TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
 07 OFFICE OF EMERGENCY MANAGEMENT
 01 EMERGENCY MGT. ASSISTANCE
 03 DISASTER CONTINGENCY

50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 95 CONTINGENCY FUNDS

TOTAL

479,342
 38,383
 32,506
 32,506
 3,971
 1,839
 26,049
 26,049
 9,870
 26,513
 398
 8,431
 14,767
 12,007
 20,120
 20,120
 4,779

481,742
 38,383
 32,506
 32,506
 3,971
 1,839
 26,049
 26,049
 9,870
 26,513
 398
 8,431
 14,767
 12,007
 20,120
 20,120
 4,779

787,114

795,498

393,557
 393,557
 393,557
 787,114

397,749
 397,749
 397,749
 795,498

154
 153,347

153,347

153,501

153,501
 153,501
 153,501

34,000
 2,601
 2,601
 1,500
 10,398

34,000
 2,601
 2,601
 1,500
 10,398

48,499

48,499

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02 ADMIN OF JUSTICE & PUBLIC PRIN							
07 OFFICE OF EMERGENCY MANAGEMENT							
00 FEDERAL FUNDS							
03 DISASTER CONTINGENCY							
					(CONT)		
					(CONT)		
					(CONT)		
ESTIMATED SOURCE OF FUNDS FOR							
DISASTER CONTINGENCY							
GENERAL FUND						48 499	48 499
TOTAL						48 499	48 499
TOTAL						989 114	997 498
ESTIMATED SOURCE OF FUNDS FOR							
EMERGENCY MGT ASSISTANCE							
FEDERAL FUNDS						547 058	551 250
GENERAL FUND						442 056	446 248
TOTAL						989 114	997 498
02 ADMIN OF JUSTICE & PUBLIC PRIN							
07 OFFICE OF EMERGENCY MANAGEMENT							
02 DISASTER PREPARED IMPROV GRANT							
20 CURRENT EXPENSES						5 980	5 980
28 TRANSFER TO NON-STATE						1 388	1 388
30 EQUIPMENT						4 490	4 490
40 INDIRECT COSTS						2 103	2 103
51 ADDITIONAL SERVICES - OTHER						2 25	2 25
60 BENEFITS						26 480	26 480
70 IN-STATE TRAVEL						2 026	2 026
80 OUT-OF-STATE TRAVEL						3 800	3 800
93 TRAINING						2 937	2 937
TOTAL						50 888	49 112
ESTIMATED SOURCE OF FUNDS FOR							
DISASTER PREPARED IMPROV GRANT							
FEDERAL FUNDS						25 000	25 000
GENERAL FUND						24 112	24 112
TOTAL						50 888	49 112

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02 ADMIN OF JUSTICE & PUBLIC PRIN
07 OFFICE OF EMERGENCY MANAGEMENT
03 RADEF MAINTENANCE & CALIBRAT'N

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENT'S & LEASES TO NON-STATE
24 MAINT OTHER THAN BLDG&GRNDS
28 TRANSFERS TO GEN'L SERVICES
30 EQUIPMENT COSTS
40 INDIRECT COSTS
42 TRANSFER TO COLA
50 PERSONAL SERVICES - OTHER
60 BENEFITS
80 IN-STATE TRAVEL
91 OUT-OF-STATE TRAVEL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
02 ADMIN OF JUSTICE & CALIBRAT'N
03 RADEF MAINTENANCE & CALIBRAT'N
00 FEDERAL FUNDS
TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
07 OFFICE OF EMERGENCY MANAGEMENT
03 RADEF MAINTENANCE & CALIBRAT'N
02 RADIOLOGICAL DEFENSE OFFICE

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
28 TRANSFERS TO GEN'L SERVICES
30 EQUIPMENT COSTS
40 INDIRECT COSTS
42 TRANSFER TO COLA
50 PERSONAL SERVICES - OTHER
60 BENEFITS
80 IN-STATE TRAVEL
91 VEHICLE LEASE

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
02 ADMIN OF JUSTICE & CALIBRAT'N
03 RADEF MAINTENANCE & CALIBRAT'N
00 FEDERAL FUNDS
TOTAL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
RADEF

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

45,231
6,000
2,248
4,193
4,518
3,119
3,111
81
792
6,003
12,982
2,184
545

80,599

80,599
80,599

26,481
9,828
1,807
2,076
2,366
86
464
5,382
6,767
3,249
3,247
3,744

65,683

65,683
65,683

145,527

146,282

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02 ADMIN OF JUSTICE & PUBLIC PRIN				(CONT.)	
07 OFFICE OF EMERGENCY MANAGEMENT				(CONT.)	
07 VERMONT YANKEE					
49 TRANS TO OTHER STATE AG'S				50,502	51,161
50 PERSONAL SERVICES - OTHER				15,620	16,816
50 PERSONAL SERVICES - OTHER				15,971	16,893
60 STATE TRAVEL				4,315	4,315
70 IN-STATE TRAVEL				1,500	1,500
80 OUT-OF-STATE TRAVEL				11,500	18,500
91 EPZ COMMUNITY SUPPORT				24,997	25,222
92 EPZ TRAINING					
TOTAL				313,448	315,347
ESTIMATED SOURCE OF FUNDS FOR					
VERMONT YANKEE				313,448	315,347
05 PRIVATE LOCAL FUNDS				313,448	315,347
TOTAL					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
07 OFFICE OF EMERGENCY MANAGEMENT					
08 STATE ASSISTANCE PROGRAM					
10 PERSONAL SERVICES - PERMANENT				34,305	35,838
20 CURRENT EXPENSES - NON-STATE				4,078	4,078
22 CURRENT EXPENSES - NON-STATE				1,687	1,687
26 TRANSFERS TO GEN'L SERVICES				3,592	3,615
40 INDIRECT COSTS				2,694	2,694
41 AUDIT FUND SET ASIDE				7,890	8,601
70 BENEFITS				957	957
80 OUT-OF-STATE TRAVEL				2,692	2,692
93 TRAINING				2,860	2,860
TOTAL				60,798	63,067
ESTIMATED SOURCE OF FUNDS FOR					
STATE ASSISTANCE PROGRAM				45,599	47,300
00 FEDERAL FUNDS				15,199	15,767
GENERAL FUND				60,798	63,067
TOTAL					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
07 OFFICE OF EMERGENCY MANAGEMENT					
09 FACILITIES SURVEY PROGRAM					
10 PERSONAL SERVICES - PERMANENT				23,174	24,149
28 TRANSFERS TO GEN'L SERVICES				1,785	1,807
40 INDIRECT COSTS				1,785	1,785
41 AUDIT FUND SET ASIDE				1,46	1,47

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02 ADMIN OF JUSTICE & PUBLIC PRIN 07 OFFICE OF EMERGENCY MANAGEMENT 09 FACILITIES SURVEY PROGRAM		(CONT.) (CONT.)		-----	
50 PERSONAL SERVICES - OTHER		5,538		5,538	
50 BENEFITS TRAVEL		5,724		6,220	
50 PERSONAL SERVICES - OTHER		6,930		6,930	
80 OUT-OF-STATE TRAVEL		487		487	
TOTAL		45,510		46,963	
ESTIMATED SOURCE OF FUNDS FOR					
03 EMERGENCY PROGRAM		45,510		46,963	
00 FEDERAL FUNDS		45,510		46,963	
TOTAL					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
07 OFFICE OF EMERGENCY MANAGEMENT					
10 RELOCATION GRANT		51		50,000	
41 AUDIT FUND SET ASIDE		50,000		50,051	
94 LUNDONDEPRT-1				50,051	
TOTAL		50,051		50,051	
ESTIMATED SOURCE OF FUNDS FOR					
03 EMERGENCY MANAGEMENT		50,051		50,051	
00 FEDERAL FUNDS		50,051		50,051	
TOTAL					
TOTAL		3,103,944		3,123,766	
ESTIMATED SOURCE OF FUNDS FOR					
03 EMERGENCY MANAGEMENT		1,062,390		1,072,297	
00 FEDERAL FUNDS		483,143		486,127	
GENERAL FUND		1,558,411		1,565,942	
TOTAL		3,103,944		3,123,766	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
08 PARI-MUTUEL COMMISSION					
01 PARI-MUTUEL COMMISSION					
10 PERSONAL SERVICES - PERMANENT		104,481		105,048	
11 SALARIES SIX COMMISSIONERS		40,060		40,060	
20 CURRENT EXPENSES		27,300		27,300	
24 MAINT. OTHER THAN BLDGGRNDS		7,372		11,462	
30 PERSONNEL SVCS-NON BENEFIT		26,235		26,235	
40 PERSONNEL SVCS-NON BENEFIT					

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02 ADMIN OF JUSTICE & PUBLIC PRIN
08 PART-MUTUEL COMMISSION
01 PART-MUTUEL COMMISSION

(CONT.)
(CONT.)

50 PERSONAL SERVICES - OTHER	809,578	805,019
70 RETIREMENT	95,178	94,410
80 OUT-OF-STATE TRAVEL	27,000	27,000
90 RENTALS	24,000	24,000
93 NARSIS	3,500	3,500

* SUCH PORTION OF THIS AMOUNT THAT CONSTITUTES THE COMPENSATION OF THE COMMISSION VETERINARIAN SHALL BE REIMBURSED TO THE STATE BY THE PERSON, ASSOCIATION, OR CORPORATION CONDUCTING THE RACE OR MEET AND SUCH REIMBURSEMENT SHALL INCLUDE THE EMPLOYER'S SHARE OF OASI TAXES. SUCH FUNDS SHALL BE DEPOSITED AS UNRESTRICTED REVENUES OF THE STATE STEWARD AND ASSOCIATE JUDGES, AND ANY ADDITIONAL AMOUNTS PAID FOR THIS PURPOSE OVER THE SUM APPROPRIATED FOR THIS PURPOSE TO THE STATE BY THE TRACK INCLUDING OASI, AND THE FUNDS REIMBURSED SHALL BE CREDITED TO THE APPROPRIATION FOR "OTHER PERSONAL SERVICES".

** SUCH PORTION OF THIS AMOUNT THAT CONSTITUTES THE COMPENSATION OF THE OFFICIAL STATE STEWARD OR ASSOCIATE JUDGES OF THE PART-MUTUEL COMMISSION, SHALL BE REIMBURSED TO THE STATE BY THE PERSON, ASSOCIATION, OR CORPORATION CONDUCTING THE RACE OR MEET AND SUCH REIMBURSEMENT SHALL INCLUDE THE EMPLOYER'S SHARE OF OASI TAXES. SUCH FUNDS SHALL BE DEPOSITED AS UNRESTRICTED REVENUES OF THE STATE STEWARD AND ASSOCIATE JUDGES, AND ANY ADDITIONAL AMOUNTS PAID FOR THIS PURPOSE OVER THE SUM APPROPRIATED FOR THIS PURPOSE IN "OTHER PERSONAL SERVICES" SHALL BE REIMBURSED TO THE STATE BY THE PERSON, ASSOCIATION, OR CORPORATION CONDUCTING THE RACE OR MEET AND SUCH REIMBURSED SHALL BE CREDITED TO THE APPROPRIATION FOR "OTHER PERSONAL SERVICES".

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
PART-MUTUEL COMMISSION

1,172,309

1,173,639

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02 ADMIN OF JUSTICE & PUBLIC PRTN						
08 PART-MUTUEL COMMISSION						
01 PART-MUTUEL COMMISSION						
05 PRIVATE LOCAL FUNDS						
GENERAL FUND						
TOTAL			26,325	26,325	26,325	26,325
			1,146,074	1,147,404	1,147,404	1,147,404
			1,172,399	1,173,639	1,173,639	1,173,639
02 ADMIN OF JUSTICE & PUBLIC PRTN						
08 PART-MUTUEL COMMISSION						
02 RACING LABORATORY						
10 PERSONAL SERVICES - PERMANENT						
22 CURRENT EXPENSES			212,080	215,324	215,324	215,324
22 RENTS & LEASES TO NON-STATE			30,100	30,100	30,100	30,100
24 MAINT OTHER THAN BLDG&GRNDS			100	9,300	9,300	9,300
28 TRANSFERS TO GEN'L SERVICES			30,892	30,961	30,961	30,961
30 PERSONNEL			20,580	20,580	20,580	20,580
50 PERSONAL SERVICES - OTHER			50,369	50,369	50,369	50,369
60 BENEFITS			194	194	194	194
70 IN-STATE TRAVEL			1,020	1,020	1,020	1,020
80 OUT-OF-STATE TRAVEL			46,075	46,075	46,075	46,075
92 LEASE/PURCHASE OF LAB EQUIPNT						
TOTAL			400,781	408,258	408,258	408,258
ESTIMATED SOURCE OF FUNDS FOR						
RACING LABORATORY						
GENERAL FUND			400,781	408,258	408,258	408,258
TOTAL			400,781	408,258	408,258	408,258
TOTAL			1,573,090	1,581,897	1,581,897	1,581,897
ESTIMATED SOURCE OF FUNDS FOR						
PART-MUTUEL COMMISSION						
GENERAL FUND			1,546,855	1,555,662	1,555,662	1,555,662
OTHER FUNDS			26,235	26,235	26,235	26,235
TOTAL			1,573,090	1,581,897	1,581,897	1,581,897
02 ADMIN OF JUSTICE & PUBLIC PRTN						
09 ST COORD HIGHWAY SAFETY						
01 HIGHWAY SAFETY ADMINISTRATION						
10 PERSONAL SERVICES - PERMANENT						
11 SALARY OF COORDINATOR			83,676	110,623	110,623	110,623
22 CURRENT EXPENSES			41,222	41,222	41,222	41,222
22 RENTS & LEASES TO NON-STATE			10,440	10,440	10,440	10,440
24 MAINT OTHER THAN BLDG&GRNDS			2,300	2,300	2,300	2,300

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
09 ST COORD HIGHWAY SAFETY					
01 HIGHWAY SAFETY ADMINISTRATION					
F					
30 EQUIPMENT	2,000				1,909
31 DIRECT COSTS	1,735				59
41 AUDIT FUND SET ASIDE	59				759
42 TRANSFER TO COLA	550				18,013
50 PERSONAL SERVICES - OTHER	17,046				37,821
70 BENEFITS	30,046				3,100
70 BENEFITS TRAVEL	3,100				2,080
80 OUT-OF-STATE TRAVEL	2,080				
TOTAL		210,843			238,323
ESTIMATED SOURCE OF FUNDS FOR					
HIGHWAY SAFETY ADMINISTRATION					
00 FEDERAL FUNDS		60,643			66,723
02 HIGHWAY FUNDS		150,200			171,600
TOTAL		210,843			238,323
02 ADMIN OF JUSTICE & PUBLIC PRIN					
09 ST COORD HIGHWAY SAFETY					
02 NHISA GRANTS					
D					
41 AUDIT FUND SET ASIDE			450		450
90 NHISA GRANTS			449,550		449,550
TOTAL		450,000			450,000
ESTIMATED SOURCE OF FUNDS FOR					
NHISA GRANTS					
00 FEDERAL FUNDS		450,000			450,000
TOTAL		450,000			450,000
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ST COORD HIGHWAY SAFETY					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL		660,843			688,323
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ST COORD HIGHWAY SAFETY					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL		510,643			516,723
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ST COORD HIGHWAY SAFETY					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL		150,200			171,600
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ST COORD HIGHWAY SAFETY					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL		660,843			688,323

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 02 ADMIN OF JUSTICE & PUBLIC PRIN
 10 FIRE STANDARDS & TRAINING COMM
 01 ADMINISTRATION

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

10 PERSONAL SERVICES - PERMANENT
 20 PERSONAL EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 HEAT, ELECTRICITY & WATER
 24 MAINT. OTHER THAN BLDGGRNOS
 30 EDUCATION
 40 EDUCATION SERVICES - OTHER
 50 BENEFITS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

124,170
 15,957
 24,477
 3,000
 800
 78
 65,201
 33,547
 1,552
 1,940

125,353
 14,632
 24,477
 3,000
 800
 78
 65,201
 33,547
 1,552
 1,940

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION
 GENERAL FUND
 TOTAL

270,722
 270,722
 270,722

273,431
 273,431
 273,431

02 ADMIN OF JUSTICE & PUBLIC PRIN
 10 FIRE STANDARDS & TRAINING COMM
 02 INSTRUCTION

20 CURRENT EXPENSES
 40 INDIRECT COSTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 90 INSTRUCTOR AIDS

20,000
 20,700
 50,000
 3,825
 10,000
 40,000

20,000
 20,700
 50,000
 3,825
 10,000
 40,000

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 INSTRUCTION
 09 AGENCY INCOME
 TOTAL

124,525
 124,525
 124,525

124,525
 124,525
 124,525

THE SUNS INCLUDED IN THE APPROPRIATION IN PAU
 INSTRUCTION SHALL NOT LAPSE AND TRAINING COMMISSION
 RECEIVED BY THE COMMISSION FOR COURSES OFFERED
 ON A TUITION BASIS, SERVICES RENDERED, OR FEES
 CHARGED SHALL NOT LAPSE AND SHALL BE DEPOSITED
 IN THE TREASURY OF THE STATE OF MISSISSIPPI
 COMMITTEE AND THE GOVERNOR AND COUNCIL FOR THE
 SOLE PURPOSE OF PROVIDING ADDITIONAL SUPPORT

	----- FISCAL YEAR 1990 -----	----- FISCAL YEAR 1991 -----
4-F 0200 PAGE 98 05/04 83		
02 ADMIN OF JUSTICE & PUBLIC PRIN		
10 FIRE STANDARDS & TRAINING COMM		
32 INSTRUCTION		
(CONT)		
(CONT)		
FOR THE FIRE STANDARDS AND TRAINING COMMISSION		
ACTIVITIES AS AUTHORIZED BY RSA 154-C		
02 ADMIN OF JUSTICE & PUBLIC PRIN		
10 FIRE STANDARDS & TRAINING COMM		
03 HAZARDOUS MATERIALS TRAINING PROGRAM		
10 PERSONAL SERVICES - PERMANENT		
20 CURRENT EXPENSES	36,875	36,318
60 PERSONAL SERVICES - OTHER	10,000	10,000
60 BENEFITS	10,000	10,000
70 IN STATE TRAVEL	12,306	13,020
80 OUT OF STATE TRAVEL	2,000	2,000
90 INSTRUCTIONAL EXPENSES	1,000	1,000
TOTAL	30,000	
ESTIMATED SOURCE OF FUNDS FOR	142,181	114,339
HAZARDOUS MATERIALS TRAINING PROGRAM		
GENERAL FUND	142,181	114,339
TOTAL		
TOTAL	537,428	512,295
ESTIMATED SOURCE OF FUNDS FOR		
HAZARDOUS MATERIALS TRAINING COMM		
GENERAL FUND	412,903	387,770
OTHER FUNDS	124,525	124,525
TOTAL	537,428	512,295
02 ADMIN OF JUSTICE & PUBLIC PRIN		
11 INSURANCE DEPARTMENT		
01 ADMINISTRATION		
10 PERSONAL SERVICES - PERMANENT		
11 SALARY OF COMMISSIONER	568,487	579,449
12 SALARY OF DEPUTY COMMISSIONER	64,406	64,406
13 ASSISTANT COMMISSIONER	39,453	41,519
20 RENT & LEASES TO NON-STATE	39,453	41,519
22 RENT & LEASES TO NON-STATE	48,001	48,271
24 MAINT OTHER THAN BLDG&GRNDS	4,364	4,388
29 TRANSFERS TO INFO SERVICES	10,592	10,592
30 EQUIPMENT	16,543	16,543
40 INDIRECT COSTS	17,719	17,719

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02 ADMIN OF JUSTICE & PUBLIC PRIN		(CONT.)		(CONT.)	
11 INSURANCE DEPARTMENT		(CONT.)		(CONT.)	
01 ADMINISTRATION					
46 CONSULTANTS		10,000		10,000	
56 PERSONAL SERVICES - OTHER		8,865		8,865	
70 BENEFITS		175,061		175,061	
70 IN-STATE TRAVEL		164,326		164,326	
80 OUT-OF-STATE TRAVEL		3,229		3,229	
92 TRAINING & EDUCATION		6,053		6,053	
TOTAL		4,006		4,006	
ESTIMATED SOURCE OF FUNDS FOR			1,048,458		1,074,890
ADMINISTRATION					
03 AGENCY INCOME			1,048,458		1,074,890
TOTAL			1,048,458		1,074,890
02 ADMIN OF JUSTICE & PUBLIC PRIN					
11 INSURANCE DEPARTMENT					
02 EXAMINATION DIVISION					
10 PERSONAL SERVICES - PERMANENT		555,437		559,152	
11 SALARY OF EMPLOYEES		50,876		50,876	
22 BENEFITS		8,635		8,635	
22 RENT'S & LEASES TO NON-STATE		14,784		14,784	
24 MAINT OTHER THAN BLDGAGENDS		2,516		2,516	
30 EQUIPMENT COSTS		17,719		17,719	
40 BENEFITS		139,452		146,409	
70 IN-STATE TRAVEL		10,070		7,799	
80 OUT-OF-STATE TRAVEL		75,993		75,993	
91 CONTRACT EXAMINERS BENEFITS		10,080		10,080	
92 TRAINING AND EDUC		6,790		6,790	
TOTAL			898,730		907,142
ESTIMATED SOURCE OF FUNDS FOR					
EXAMINATION DIVISION					
03 AGENCY INCOME			898,730		907,142
TOTAL			898,730		907,142
02 ADMIN OF JUSTICE & PUBLIC PRIN					
11 INSURANCE DEPARTMENT					
03 OFFICE / SECURITIES REGULATION					
10 PERSONAL SERVICES - PERMANENT		151,246		151,246	
11 SALARY OF EMPLOYEES		49,473		49,473	
12 ADM BUR SEC SERV		49,444		49,444	
13 ADM BUR SEC FILINGS		51,076		51,076	

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02 ADMIN OF JUSTICE & PUBLIC PRIN
 11 INSURANCE DEPARTMENT
 11 CONT
 11 CONT
 03 OFFICE / SECURITIES REGULATION

14 CHIEF INVESTIGATOR
 15 ADM OF EXAMS AND AUDITS
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 EQUIPMENT
 30 EQUIPMENT
 34 CONSULTANTS
 46 BENEFITS
 60 IN-STATE TRAVEL
 70 OUT-OF-STATE TRAVEL
 91 COMPUTERIZATION
 92 EDUCATION & TRAINING

TOTAL SOURCE OF FUNDS FOR
 OFFICE / SECURITIES REGULATION
 GENERAL FUND
 TOTAL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 INSURANCE DEPARTMENT
 GENERAL FUND
 OTHER FUNDS
 TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
 12 DEPARTMENT OF LABOR
 01 DEPT OF LABOR ADM & SUPPORT

10 PERSONAL SERVICES - PERMANENT
 11 SALARY OF COMMISSIONER
 12 SALARY OF DEPUTY COMMISSIONER
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 EQUIPMENT
 30 EQUIPMENT
 46 BENEFITS
 60 IN-STATE TRAVEL
 70 OUT-OF-STATE TRAVEL
 90 TRAINING

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DEPT OF LABOR ADM & SUPPORT

42,069
 42,604
 44,741
 45,575
 32,000
 1,940
 1,500
 3,775
 103,000
 88,883
 2,000
 2,000
 3,000
 4,000
 1,500

671,782

587,329

671,782

587,329

671,782

587,329

2,618,970

2,569,961

671,782

587,329

1,940,188

1,940,022

2,618,970

2,569,961

38,800
 48,202
 38,335
 12,000
 1,940
 1,500
 2,207
 27,942
 1,250
 2,000
 5,000

174,027

175,552

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
12 DEPARTMENT OF LABOR					
31 DEPT OF LABOR ADM & SUPPORT					
(CONT.)					
(CONT.)					
(CONT.)					
02 AGENCY INCOME					
GENERAL FUND					
TOTAL					
79,856					
94,171					
174,027					
81,294					
94,288					
175,582					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
12 DEPARTMENT OF LABOR					
52 INSPECTION DIVISION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
24 MAINT OTHER THAN BLDG&GRNDS					
30 EQUIPMENT					
50 PERSONAL SERVICES - OTHER					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
347,427					
16,248					
8,175					
3,500					
2,656					
95,157					
24,438					
2,229					
353,963					
16,683					
7,500					
2,656					
95,157					
24,438					
2,229					
481,955					
485,436					
481,955					
485,436					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
12 DEPARTMENT OF LABOR					
03 WORKER'S COMPENSATION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDG&GRNDS					
30 EQUIPMENT					
46 CONSULTANTS					
50 PERSONAL SERVICES - OTHER					
70 BENEFITS					
80 OUT-OF-STATE TRAVEL					
TOTAL					
589,519					
71,995					
2,988					
5,232					
60,826					
27,200					
10,000					
10,000					
15,991					
145,054					
4,800					
4,600					
602,482					
80,960					
5,232					
60,826					
11,000					
10,000					
15,991					
145,054					
4,800					
4,600					
958,945					
958,945					
958,945					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
12 DEPARTMENT OF LABOR					
09 AGENCY INCOME					
TOTAL					
944,061					
944,061					
944,061					

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02 ADMIN OF JUSTICE & PUBLIC PRIN
12 DEPARTMENT OF LABOR
04 APPRENTICESHIP10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
24 MAINT OTHER THAN BLDGGRNDS
30 EQUIPMENT
40 INDIRECT COSTS
50 BENEFITS
60 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
90 TRAININGTOTAL
ESTIMATED SOURCE OF FUNDS FOR
EXPENSE PRIN
GENERAL FUND
TOTAL02 ADMIN OF JUSTICE & PUBLIC PRIN
12 DEPARTMENT OF LABOR
05 BOILER AND ELEVATOR10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
24 MAINT OTHER THAN BLDGGRNDS
30 EQUIPMENT
40 INDIRECT COSTS
50 BENEFITS
60 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVELTOTAL
ESTIMATED SOURCE OF FUNDS FOR
BOILER AND ELEVATOR
GENERAL FUND
TOTAL02 ADMIN OF JUSTICE & PUBLIC PRIN
12 DEPARTMENT OF LABOR
06 OSHA GRANT10 PERSONAL SERVICES PERMANENT
20 CURRENT EXPENSES
40 INDIRECT COSTS
50 BENEFITS
60 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

40,778
6,778
6,550
175
10,069
1,000
1,008
17,51640,778
6,778
6,550
175
10,069
1,000
1,008
17,51680,961
80,961
80,96181,647
81,647
81,64783,018
13,439
2,517
4,760
9,000
1,350
19,195
5,685
90083,188
13,719
1,840
4,760
9,000
1,350
20,076
5,826
900140,330
140,330
140,330140,806
140,806
140,80681,613
10,000
14,509
56,28181,613
10,000
14,509
56,281E
D

	48 0200	PAGE	103	05/04/89		----- FISCAL YEAR 1990 -----	----- FISCAL YEAR 1991 -----
02 ADMIN OF JUSTICE & PUBLIC PRIN					(CONT)		
12 DEPARTMENT OF LABOR					(CONT)		
06 GSHA GRANT					(CONT)		
60 BENEFITS						18,777	19,587
70 IN-STATE TRAVEL						5,000	5,000
80 OUT-OF-STATE TRAVEL						7,000	7,000
TOTAL						193,286	197,556
ESTIMATED SOURCE OF FUNDS FOR							
OSHA GRANT FUNDS						173,957	177,620
GENERAL FUND						19,329	19,936
TOTAL						193,286	197,556
02 ADMIN OF JUSTICE & PUBLIC PRIN							
12 DEPARTMENT OF LABOR							
07 FIRE SAFETY AND HEALTH							
20 CURRENT EXPENSES						3,385	3,560
30 EQUIPMENT						2,660	2,660
40 INDIRECT COSTS						2,046	2,145
50 PERSONAL SERVICES - OTHER						8,194	8,562
60 BENEFITS						627	3,200
70 IN-STATE TRAVEL						3,000	5,800
80 OUT-OF-STATE TRAVEL						5,684	
TOTAL						25,936	26,539
ESTIMATED SOURCE OF FUNDS FOR							
DEPARTMENT OF LABOR						20,749	21,232
FEDERAL FUNDS						5,187	5,307
GENERAL FUND						25,936	26,539
TOTAL							
02 ADMIN OF JUSTICE & PUBLIC PRIN						2,040,556	2,066,280
12 DEPARTMENT OF LABOR							
07 FIRE SAFETY AND HEALTH							
20 CURRENT EXPENSES						194,706	198,852
30 EQUIPMENT						82,183	82,183
40 INDIRECT COSTS						82,097	82,097
50 PERSONAL SERVICES - OTHER						1,040,239	1,040,239
60 BENEFITS						2,040,556	2,066,280
70 IN-STATE TRAVEL							
80 OUT-OF-STATE TRAVEL							
TOTAL							

48 COMM PAGE 104 OF 1389			FISCAL YEAR 1990		FISCAL YEAR 1991	
02 ADMIN OF JUSTICE & PUBLIC PRIN						
10 LIQUOR COMMISSION						
01 OFFICE OF THE COMMISSIONER						
01 ADMINISTRATION						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES	81,000			81,000		
21 SALARY COMMISSIONS	159,886			159,886		
22 RENTS & LEASES TO NON-STATE	49,000			49,000		
40 INDIRECT COSTS	370,000			370,000		
70 BENEFITS	57,575			57,575		
80 OUT-OF-STATE TRAVEL	3,241			3,241		
TOTAL			729,939			729,939
ESTIMATED SOURCE OF FUNDS FOR						
ADMINISTRATION						
GENERAL FUND			729,939			729,939
TOTAL			729,939			729,939
02 ADMIN OF JUSTICE & PUBLIC PRIN						
10 LIQUOR COMMISSION						
01 OFFICE OF THE COMMISSIONER						
02 REGULATION						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES	835,764			835,764		
21 SALARY COMMISSIONS	159,886			159,886		
22 RENTS & LEASES TO NON-STATE	49,000			49,000		
40 INDIRECT COSTS	370,000			370,000		
70 BENEFITS	57,575			57,575		
80 OUT-OF-STATE TRAVEL	3,241			3,241		
TOTAL			1,179,972			1,179,972
ESTIMATED SOURCE OF FUNDS FOR						
REGULATION						
GENERAL FUND			1,179,972			1,179,972
TOTAL			1,179,972			1,179,972
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR			1,909,911			1,909,911
OFFICE OF THE COMMISSIONER			1,909,911			1,909,911
GENERAL FUND			1,909,911			1,909,911
TOTAL			1,909,911			1,909,911

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
13 LIQUOR COMMISSION					
02 DATA PROCESSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY	440,682				468,686
20 CURRENT EXPENSES	268,470				1,500
22 TRAVEL	25,000				268,470
22 PERSONNEL - NON-STATE	25,250				75,000
22 PERSONNEL - INFO SERVICES	5,000				25,250
30 EQUIPMENT	10,340				5,000
50 PERSONAL SERVICES - OTHER	102,493				10,340
60 BENEFITS	2,500				113,636
70 IN-STATE TRAVEL	7,500				5,300
80 OUT-OF-STATE TRAVEL					7,900
TOTAL		938,735			977,906
ESTIMATED SOURCE OF FUNDS FOR					
DATA PROCESSING		938,735			977,906
GENERAL FUND					
TOTAL		938,735			977,906
02 ADMIN OF JUSTICE & PUBLIC PRIN					
13 LIQUOR COMMISSION					
03 ACCOUNTS					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	421,745				433,742
30 EQUIPMENT	19,750				31,418
50 PERSONAL SERVICES - OTHER	98,025				19,750
60 BENEFITS	3,050				105,553
70 IN-STATE TRAVEL					3,050
80 OUT-OF-STATE TRAVEL					
TOTAL		574,744			593,988
ESTIMATED SOURCE OF FUNDS FOR					
ACCOUNTS		574,744			593,988
GENERAL FUND					
TOTAL		574,744			593,988
02 ADMIN OF JUSTICE & PUBLIC PRIN					
13 LIQUOR COMMISSION					
01 ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	265,925				272,134
30 EQUIPMENT	9,513				9,513
50 PERSONAL SERVICES - OTHER	12,944				12,944
60 BENEFITS	62,153				65,302

HE 0200	PAGE	10E	05/04/89	----- FISCAL YEAR 1990 -----	----- FISCAL YEAR 1991 -----
02 ADMIN OF JUSTICE & PUBLIC PRIN					
01 COMMISSION					
04 MERCHANDISING					
01 ADMINISTRATION					
70 IN-STATE TRAVEL				9 215	9 215
80 OUT-OF-STATE TRAVEL				3 500	3 500
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR				364 025	374 508
ADMINISTRATION					
GENERAL FUND					
TOTAL				364 025	374 508
02 ADMIN OF JUSTICE & PUBLIC PRIN					
01 COMMISSION					
04 MERCHANDISING					
01 STORES					
10 PERSONAL SERVICES - PERMANENT				6 185 777	6 569 983
18 PERSONNEL EMPLOYEE OVERTIME				389 569	389 569
19 HOLIDAY PAY				1 231 810	1 231 810
20 CURRENT EXPENSES				1 231 810	221 645
22 RENTS & LEASES TO NON-STATE				1 505 786	1 505 786
23 ELECTRICITY & WATER				475 000	475 000
24 MAINT. EQUIPMENT				100 000	100 000
30 EQUIPMENT				138 726	138 726
47 OWN FORCES MAINT-BLDG&GRND				36 000	36 000
48 CONTRACTUAL MAINT-BLDG&GRND				36 000	36 000
50 PERSONAL SERVICES - OTHER				1 313 705	1 213 705
60 PERSONAL SERVICES - OTHER				1 446 104	1 446 104
70 IN-STATE TRAVEL				50 802	50 802
98 RELOCATION FUND				100 000	100 000
TOTAL				13 508 509	13 793 995
ESTIMATED SOURCE OF FUNDS FOR					
STORES				13 508 509	13 793 995
GENERAL FUND				13 508 509	13 793 995
TOTAL				13 508 509	13 793 995

* THE FUNDS IN THIS APPROPRIATION MAY BE EXPENDED
WITH PRIOR APPROVAL OF THE FISCAL COMMITTEE
AND GOVERNOR AND COUNCIL

HB 1200 PAGE 107 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
13 LITIGOR COMMISSION					
104 MERCHANDISING					
02 STORES					
02 ADVERTISING					
20 CURRENT EXPENSES					
TOTAL		321,715		321,715	
ESTIMATED SOURCE OF FUNDS FOR					
GENERAL FUND		321,715		321,715	
TOTAL		321,715		321,715	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR		14,194,249		14,490,218	
MERCHANDISING					
GENERAL FUND		14,194,249		14,490,218	
TOTAL		14,194,249		14,490,218	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
13 LITIGOR COMMISSION					
05 WAREHOUSE					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		559,542		570,536	
23 HEALTH BENEFITS		36,000		36,000	
23 HEAT, ELECTRICITY & WATER	D	135,000		135,000	
24 MAINT OTHER THAN BLDGGRNDS		12,000		12,000	
30 EQUIPMENT		62,000		63,500	
47 OWN FORCES MAINT-BLDGGRNDS	G	8,000		8,000	
47 OWN FORCES MAINT-BLDGGRND	G	25,000		25,000	
50 PERSONAL SERVICES - OTHER		130,608		138,842	
60 BENEFITS		1,500		1,500	
70 IN-STATE TRAVEL		1,150		1,150	
80 OUT-OF-STATE TRAVEL					
TOTAL		992,000		1,012,728	
ESTIMATED SOURCE OF FUNDS FOR					
WAREHOUSE		992,000		1,012,728	
GENERAL FUND		992,000		1,012,728	
TOTAL		992,000		1,012,728	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR		18,609,639		19,002,370	
LITIGOR COMMISSION					
GENERAL FUND		18,609,639		19,002,370	
TOTAL		18,609,639		19,002,370	

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

02 ADMIN OF JUSTICE & PUBLIC PRIN
 14 PUBLIC UTILITIES COMMISSION
 01 OFFICE OF THE COMMISSIONER

10 PERSONAL SERVICES - PERMANENT
 11 SALARY & SUPPL COMMISSIONERS

12 COUNSEL TO PUC
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINTN OTHER THAN BLDGS/GRND
 26 CONSULTANTS
 40 INDIRECT COSTS
 46 CONSULTANTS
 48 CONTRACTUAL MAINT-BLDGS/GRND
 49 TRANS TO OTHER STATE AGENCIES
 50 BENEFITS
 60 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 PRINTING/PUB. REPORTS
 92 OUT-OF-STATE RESEARCH IN
 96 NAT'L REGULATORY RESEARCH IN
 98 NF CONFERENCE OF PUB UTIL CO

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 OFFICE OF THE COMMISSIONER
 09 AGENCY INCOME
 TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
 14 PUBLIC UTILITIES COMMISSION
 02 CONSUMER ADVOCATE

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINTN OTHER THAN BLDGS/GRND
 26 CONSULTANTS
 40 INDIRECT COSTS
 46 CONSULTANTS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 CONSUMER ADVOCATE
 09 AGENCY INCOME
 TOTAL

1 590,000
 193,418
 44,653
 101,023
 120,152
 43,124
 43,124
 56,406
 67,750
 1,000
 49,563
 420,465
 9,694
 53,690
 48,155
 41,325
 9,042
 18,000

2,848,256

3,832,515

2,848,256

3,832,515

162,513
 5,980
 10,442
 1,520
 23,500
 37,385
 1,358
 4,555

444,223

253,836

248,223

253,836

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

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02 ADMIN OF JUSTICE & PUBLIC PRIN
03 PUBLIC UTILITIES COMMISSION
00 GAS PIPELINE CARRIERS

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
24 MAINT. OTHER THAN BLDG&GRND
30 EQUIPMENT COSTS
40 CURRENT COSTS
41 AUDIT FUND SET ASIDE
42 TRANSFER TO COLA
60 BENEFITS
70 INSURANCE TRAVEL
80 OUT-OF-STATE TRAVEL
92 OTHER EXPENDITURES

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
00 PIPELINE CARRIERS
00 FEDERAL FUNDS
09 AGENCY INCOME
TOTAL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
PUBLIC UTILITIES COMMISSION
FEDERAL FUNDS
OTHER FUNDS
TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
03 DEPARTMENT OF SAFETY
01 OFFICE OF COMMISSIONER
01 OFFICE OF COMMISSIONER

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF COMMISSIONER
13 SALARY OF DEPUTY COMMISSIONER
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
24 MAINT. OTHER THAN BLDG&GRND
30 EQUIPMENT
40 CURRENT COSTS
41 AUDIT FUND SET ASIDE
42 TRANSFER TO COLA
60 BENEFITS
70 INSURANCE TRAVEL
80 OUT-OF-STATE TRAVEL
92 OTHER EXPENDITURES

49,618
6,107
1,700
1,000
5,000
1,238
1,430
1,430
1,500
1,500
3,029
3,000
1,000

84,147

42,074
42,074
84,147

3,180,628

42,314
3,138,554
3,180,628

84,627
42,314
84,627

3,230,978

42,314
3,188,664
3,230,978

139,287
64,806
59,265
100,600
100,600
18,534
8,340
90,000
63,000
63,001
5,400
5,000
40,000

139,287
64,806
59,265
100,600
100,600
18,534
9,000
234,587
63,000
63,001
5,400
5,000
40,000

HB 0000	DATE	NO	05/04/89		FISCAL YEAR 1990	FISCAL YEAR 1991
02 ADMIN OF JUSTICE & PUBLIC PRIN						
15 DEPARTMENT OF SAFETY						
01 OFFICE OF COMMISSIONER						
01 OFFICE OF COMMISSIONER						
TOTAL					751,136	608,637
ESTIMATED SOURCE OF FUNDS FOR						
OFFICE OF COMMISSIONER					751,136	608,637
LOCALWAY FUNDS						
TOTAL						
02 ADMIN OF JUSTICE & PUBLIC PRIN						
15 DEPARTMENT OF SAFETY						
01 OFFICE OF COMMISSIONER						
02 BUREAU OF HEARINGS						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES						
28 TRAVELERS TO GEN L SERVICES						
30 EQUIPMENT						
40 PERSONAL SERVICES - OTHER						
50 BENEFITS						
60 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
TOTAL					441,125	573,814
ESTIMATED SOURCE OF FUNDS FOR						
BUREAU OF HEARINGS					441,125	573,814
LOCALWAY FUNDS						
TOTAL						
02 ADMIN OF JUSTICE & PUBLIC PRIN						
15 DEPARTMENT OF SAFETY						
01 OFFICE OF COMMISSIONER						
03 BUREAU OF FIRE SAFETY						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES						
28 TRAVELERS TO NON-STATE						
30 EQUIPMENT						
40 PERSONAL SERVICES - OTHER						
50 BENEFITS						
60 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
TOTAL					405,951	719,500
ESTIMATED SOURCE OF FUNDS FOR						
BUREAU OF FIRE SAFETY					405,951	719,500
LOCALWAY FUNDS						
TOTAL						

PAGE 111 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
01 OFFICE OF COMMISSIONER					
03 BUREAU OF FIRE SAFETY					
GENERAL FUND					
TOTAL		768,108	719,500		
		768,108	719,500		
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
01 OFFICE OF COMMISSIONER					
04 CENTRAL MAINTENANCE					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		16,598	17,843		
30 EQUIPMENT		14,000	15,000		
40 BENEFITS		3,818	4,138		
50 IN-STATE TRAVEL		2,000	2,000		
TOTAL		51,416	38,381		
ESTIMATED SOURCE OF FUNDS FOR					
CENTRAL MAINTENANCE		51,416	38,381		
VOTER HIGHWAY FUND		51,416	38,381		
TOTAL					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
01 OFFICE OF COMMISSIONER					
05 BUREAU OF CRIMINAL CARRIER					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		152,918	160,827		
30 EQUIPMENT		20,500	21,278		
40 BENEFITS		9,960	10,342		
50 PERSONAL SERVICES - OTHER		15,299	12,700		
60 BENEFITS		36,341	39,761		
70 IN-STATE TRAVEL		18,000	18,000		
80 PLATES & REGS		14,000	14,000		
TOTAL		288,765	283,992		
ESTIMATED SOURCE OF FUNDS FOR					
BUREAU OF CRIMINAL CARRIER		288,765	283,992		
GENERAL FUND		288,765	283,992		
TOTAL					
TOTAL		2,390,721	2,225,324		
ESTIMATED SOURCE OF FUNDS FOR					
OFFICE OF COMMISSIONER		1,036,873	1,000,492		
GENERAL FUND		1,353,848	1,221,832		
OTHER FUNDS					

1,000
1,000
1,000

719,500
719,500

768,108
768,108

17,243
15,000
15,000
4,138
3,818
2,000

16,538
15,000
14,000
3,818
2,000

38,381
38,381
38,381

51,416
51,416
51,416

160,627
21,900
21,900
1,778
12,700
15,826
15,826
36,341
36,341
14,000
14,000

152,918
21,900
21,900
9,940
15,299
36,341
36,341
14,000

283,992

268,765

2,225,324

2,390,721

268,765
268,765

1,000,492
1,221,832

1,036,873
1,353,848

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02 ADMIN OF JUSTICE & PUBLIC PRIN							
15 DEPARTMENT OF SAFETY							
01 OFFICE OF COMMISSIONER							
				(CONT)			
				(CONT)			
				(CONT)			
TOTAL					2 390,721	2 225,324	
02 ADMIN OF JUSTICE & PUBLIC PRIN							
15 DEPARTMENT OF SAFETY							
02 DIVISION OF ADMINISTRATION							
01 BUSINESS OFFICE							
10 PERSONAL SERVICES - PERMANENT					394,617	399,061	
12 ASSISTANT COMMISSIONER					57,534	57,534	
20 CURRENT EXPENSES					24,400	24,400	
22 RENTS & LEASES TO NON-STATE					3,600	3,600	
24 TRANS OTHER THAN BUDGRANDS					14,719	14,810	
28 TRANSFERS TO GEN L SERVICES					5,100	9,000	
30 EQUIPMENT					10,000	10,000	
40 PERSONAL SERVICES - OTHER					104,760	110,525	
50 BENEFITS					3,000	3,000	
70 IN-STATE TRAVEL					3,000	3,000	
80 OUT OF STATE TRAVEL							
TOTAL					621,330	635,352	
ESTIMATED SOURCE OF FUNDS FOR							
BUSINESS OFFICE					621,330	635,352	
HIGHWAY FUNDS					621,330	635,352	
TOTAL							
02 ADMIN OF JUSTICE & PUBLIC PRIN							
15 DEPARTMENT OF SAFETY							
02 DIVISION OF ADMINISTRATION							
02 EQUIPMENT CONTROL							
10 PERSONAL SERVICES - PERMANENT					252,763	255,405	
12 ASSISTANT COMMISSIONER					34,800	35,000	
20 CURRENT EXPENSES					4,200	4,200	
22 RENTS & LEASES TO NON-STATE					5,600	5,600	
24 TRANS ELECTRICITY & WATER					2,400	2,400	
28 TRANSFERS TO GEN L SERVICES					14,000	25,400	
30 EQUIPMENT					2,300	2,300	
40 PERSONAL SERVICES - OTHER					58,311	61,473	
50 BENEFITS					4,500	4,500	
70 IN-STATE TRAVEL							
80 OUT OF STATE TRAVEL							
TOTAL					382,447	404,887	
ESTIMATED SOURCE OF FUNDS FOR							
EQUIPMENT CONTROL					382,447	404,887	
HIGHWAY FUNDS							
TOTAL							

-----	FISCAL YEAR 1990	-----	FISCAL YEAR 1991	-----
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02 ADMIN OF JUSTICE & PUBLIC PRIN
15 DEPARTMENT OF SAFETY
02 DIVISION OF ADMINISTRATION
02 EQUIPMENT CONTROL

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( CONT )
( CONT )

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TOTAL

404.880

382.445

10	PERSONAL SERVICES - PERMANENT
20 <td>PERSONAL EXPENSES</td>	PERSONAL EXPENSES
30 <td>RENTS & LEASES - NON-STATE</td>	RENTS & LEASES - NON-STATE
40 <td>RENT, ELECTRICITY & WATER</td>	RENT, ELECTRICITY & WATER
50 <td>MAINT. OTHER THAN BLOGGRANDS</td>	MAINT. OTHER THAN BLOGGRANDS
24 <td>TRANSFERS TO GEN'L SERVICES</td>	TRANSFERS TO GEN'L SERVICES
25 <td>TRANSFERS TO INFO SERVICES</td>	TRANSFERS TO INFO SERVICES
30 <td>EQUIPMENT</td>	EQUIPMENT
60 <td>PERSONAL SERVICES - OTHER</td>	PERSONAL SERVICES - OTHER
60 <td>BENEFITS</td>	BENEFITS
70 <td>IN-STATE TRAVEL</td>	IN-STATE TRAVEL
80 <td>OUT-STATE TRAVEL</td>	OUT-STATE TRAVEL
90 <td>DATA PROCESSING - RENT & MAINT</td>	DATA PROCESSING - RENT & MAINT
91 <td>RESEARCH - SWITCHING</td>	RESEARCH - SWITCHING
94 <td>DATA BASE CONVERSION</td>	DATA BASE CONVERSION

813,304
16,800
3,200
460
26,280
100,000
3,500
118,116
197,614
1,500
5,000
750,900
105,000
950,000

830	152
16	600
3	600
	200
	460
26	503
50	000
1	200
121	500
208	37
1	500
5	000
600	900
105	000
95	000

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
DATA PROCESSING UNIT
OF HIGHWAY FUNDS
TOTAL

3,008,874

3,030,796

U S ADMIN OF JUSTICE A PUBLIC PRIN
IN DEPARTMENT OF SAFETY
02 DIVISION OF ADMINISTRATION
04 AUDIT UNIT

110	PERSONAL SERVICES - PERMANENT
120	CURRENT EXPENSES
128	TRANSFERS TO GEN L SERVICES
20	EQUIPMENT
30	PERSONAL SERVICES - OTHER
53	BENEFITS
60	IN-STATE TRAVEL
70	OUT-OF-STATE TRAVEL

377, 333
6, 300
7, 917
27, 175
2, 000
86, 940
12, 400
16, 300

381,804
6,300
7,966
22,945
2,000
91,786
12,400
16,300

[illegible]

536, 365

541,501

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02 ADMIN OF JUSTICE & PUBLIC PRIN						
15 DEPARTMENT OF SAFETY						
02 DIVISION OF ADMINISTRATION						
04 AUDIT UNIT						
					536,365	541,501
02 HIGHWAY FUNDS					536,365	541,501
TOTAL						
02 ADMIN OF JUSTICE & PUBLIC PRIN						
15 DEPARTMENT OF SAFETY						
02 DIVISION OF ADMINISTRATION						
05 BINGO AUDIT SECTION						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES				15,561		16,166
60 PERSONNEL				7,800		300
60 BENEFITS				3,579		3,880
70 IN-STATE TRAVEL				3,600		3,600
TOTAL					30,840	23,946
TOTALLED SOURCE OF FUNDS FOR						
BINGO AUDIT SECTION						
01 OTHER AGENCY FUNDS					30,840	23,946
TOTAL					30,840	23,946
02 ADMIN OF JUSTICE & PUBLIC PRIN						
15 DEPARTMENT OF SAFETY						
02 DIVISION OF ADMINISTRATION						
06 ROAD TOLL ADMINISTRATION						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES				364,535		370,135
22 RENTS & LEASES TO NON-STATE				64,600		64,600
28 TRANSPORTATION GEN L SERVICES				1,500		1,500
60 PERSONNEL				1,820		1,820
60 BENEFITS				19,101		19,332
70 IN-STATE TRAVEL				85,318		10,524
80 OUT-OF-STATE TRAVEL				2,000		2,000
91 TRUCK ALLOCATION				18,000		18,000
92 COMPUTER CHARGES				35,000		35,000
TOTAL					607,534	619,521
ESTIMATED SOURCE OF FUNDS FOR						
ROAD TOLL ADMINISTRATION					607,534	619,521
02 HIGHWAY FUNDS					607,534	619,521
TOTAL					607,534	619,521

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 02 DIVISION OF ADMINISTRATION
 07 PETROLEUM POLLUTION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PETROLEUM POLLUTION
 01 OTHER AGENCY FUNDS
 TOTAL

121,727
 25,700
 8,000
 2,000
 28,150
 10,000
 4,700

192,366
 192,366
 218,371

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DIVISION OF ADMINISTRATION
 OTHER FUNDS
 TOTAL

5,380,416
 5,380,416
 5,380,416

5,474,368
 5,474,368
 5,474,368

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 03 DIVISION OF MOTOR VEHICLE
 01 DRIVER LICENSING

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 28 TRANSPORTATION & WATER
 30 EQUIPMENT
 49 TRANS TO OTHER STATE AGYS
 50 PERSONAL SERVICES - OTHER
 70 BENEFITS
 80 OUT-OF-STATE TRAVEL

854,907
 237,800
 33,800
 5,355
 17,165
 37,585
 17,150
 21,460
 198,271
 19,400
 4,000

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DRIVER LICENSING
 02 HIGHWAY FUNDS
 TOTAL

1,434,841
 1,434,841
 1,434,841
 1,475,317
 1,475,317
 1,475,317

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02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 03 DIVISION OF MOTOR VEHICLE
 02 MOTOR VEHICLE REGISTRATION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 21 OUT-OF-STATE TRAVEL
 22 EQUIPMENT
 23 RENTALS
 24 MAINT OTHER THAN BLDGGRNDS
 28 TRANSFERS TO GEN L SERVICES
 30 EQUIPMENT
 35 PERSONAL SERVICES - OTHER
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 DECALS, POSTAGE, & ENVELOPES
 91 TEMPORARY PLATES - STATE PRISON

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 MOTOR VEHICLE REGISTRATION
 02 HIGHWAY FUNDS
 TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 03 DIVISION OF MOTOR VEHICLE
 03 CERTIFICATE OF TITLE

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 21 OUT-OF-STATE TRAVEL
 22 EQUIPMENT
 23 RENTALS
 24 MAINT OTHER THAN BLDGGRNDS
 28 TRANSFERS TO GEN L SERVICES
 30 EQUIPMENT
 35 PERSONAL SERVICES - OTHER
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 CERTIFICATE OF TITLE
 02 HIGHWAY FUNDS
 TOTAL

371,609
 172,000
 12,000
 21,825
 4,200
 52,485
 182,180
 238,910
 6,000
 2,000
 594,346
 15,000

2,286,977
 2,286,977
 2,286,977

458,489
 113,500
 24,000
 18,332
 6,500
 102,518
 3,000

743,304
 743,304
 743,304

931,288
 184,000
 21,825
 4,200
 52,976
 182,180
 238,910
 6,000
 2,000
 594,346
 15,000

2,014,438
 2,014,438
 2,014,438

458,489
 113,500
 24,000
 18,332
 6,500
 102,518
 3,000

743,304
 743,304
 743,304

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12 ADMINISTRATION OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 30 DIVISION OF MOTOR VEHICLE
 04 FINANCIAL RESPONSIBILITY

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINT. OTHER THAN PLOGRAGNOS
 30 EQUIPMENT TO GEN L SERVICES
 40 EQUIPMENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FINANCIAL RESPONSIBILITY
 02 HIGHWAY FUNDS
 TOTAL

12 ADMINISTRATION OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 30 DIVISION OF MOTOR VEHICLE
 04 ADMIN. DIV. OF MOTOR VEHICLE

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINT. OTHER THAN PLOGRAGNOS
 30 EQUIPMENT TO GEN L SERVICES
 40 EQUIPMENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMIN. DIV. OF MOTOR VEHICLE
 02 HIGHWAY FUNDS
 TOTAL

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

727,873	742,582
105,800	107,800
1,200	1,200
7,200	7,200
30,580	30,580
3,680	3,680
37,350	38,111
130,268	181,135
500	200
500	500
1,085,201	1,111,624
1,085,201	1,111,624
1,085,201	1,111,624

119,965	122,853
57,524	57,524
10,315	10,315
8,609	8,662
3,795	11,400
1,000	1,000
40,000	40,000
1,940	1,940
3,000	3,000
247,260	260,026
247,260	260,026
247,260	260,026

-----	FISCAL YEAR 1989	-----	FISCAL YEAR 1988	-----
01 ADMIN. OF JUSTICE & PUBLIC PRIN				
01 DEPARTMENT OF SAFETY				
01 DIVISION OF MOTOR VEHICLE				
01 DIVISION OF SAFETY EDUCATION				
10 PERSONAL SERVICES - PERMANENT				
20 CURRENT EXPENSES	150,446			
30 BENEFITS	102,900			
40 PAYMENT TO GEN L SERVICES	12,863			
49 TRANS TO OTHER STATE AG'S	1,600			
50 PERSONAL SERVICES - OTHER	90,901			
60 BENEFITS	24,000			
70 TRAVEL	37,962			
80 OUT OF STATE TRAVEL	2,400			
90 DRIVERS ASSISTANCE	1,500			
TOTAL	787,500			
ESTIMATED SOURCE OF FUNDS FOR				
01 DEPARTMENT OF SAFETY	1,212,020			
01 DIVISION OF MOTOR VEHICLE				
01 DIVISION OF SAFETY EDUCATION				
01 INTERNAL L REGISTRATION PROGRAM				
10 PERSONAL SERVICES - PERMANENT				
20 CURRENT EXPENSES	42,116			
30 BENEFITS	27,500			
40 PAYMENT TO GEN L SERVICES	2,240			
49 TRANS TO OTHER STATE AG'S	1,600			
50 PERSONAL SERVICES - OTHER	2,000			
60 BENEFITS	10,000			
70 TRAVEL	10,000			
80 OUT OF STATE TRAVEL	1,000			
90 VISTA CHARGES	85,000			
TOTAL	201,406			
ESTIMATED SOURCE OF FUNDS FOR				
01 DEPARTMENT OF SAFETY	201,406			
01 DIVISION OF MOTOR VEHICLE				
01 DIVISION OF SAFETY EDUCATION				
01 INTERNAL L REGISTRATION PROGRAM				
10 PERSONAL SERVICES - PERMANENT				
20 CURRENT EXPENSES	177,251			
30 BENEFITS	102,900			
40 PAYMENT TO GEN L SERVICES	12,863			
49 TRANS TO OTHER STATE AG'S	1,600			
50 PERSONAL SERVICES - OTHER	90,901			
60 BENEFITS	24,000			
70 TRAVEL	37,962			
80 OUT OF STATE TRAVEL	2,400			
90 DRIVERS ASSISTANCE	1,500			
TOTAL	336,842			
ESTIMATED SOURCE OF FUNDS FOR				
01 DEPARTMENT OF SAFETY	336,842			
01 DIVISION OF MOTOR VEHICLE				
01 DIVISION OF SAFETY EDUCATION				
01 INTERNAL L REGISTRATION PROGRAM				

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 04 DIVISION OF ENFORCEMENT
 03 ADMINISTRATION-ENFORCEMENT

10 PERSONAL SERVICES - PERMANENT 46,664
 20 PERSONAL SERVICES-UNCLASSIFIED 40,900
 30 CURRENT EXPENSES 3,900
 30 EQUIPMENT 480
 60 BENEFITS 21,525
 70 IN-STATE TRAVEL 1,500
 80 OUT-OF-STATE TRAVEL 1,500
 TOTAL 118,593

ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION-ENFORCEMENT
 02 HIGHWAY FUNDS 118,593
 TOTAL 118,593

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 04 DIVISION OF ENFORCEMENT
 02 HIGHWAY ENFORCEMENT OFFICERS

10 PERSONAL SERVICES - PERMANENT 1,089,504
 20 CURRENT EXPENSES 50,028
 30 EQUIPMENT 1,200
 30 OTHER 4,360
 24 MAINT OTHER THAN BLDGGRNDS 9,705
 28 TRANSFERS TO GEN'L SERVICES 237,496
 30 EQUIPMENT 117,496
 50 PERSONAL SERVICES - OTHER 262,523
 60 BENEFITS 267,685
 70 IN-STATE TRAVEL 95,000
 80 OUT-OF-STATE TRAVEL 7,000
 TOTAL 1,803,689

ESTIMATED SOURCE OF FUNDS FOR
 HIGHWAY ENFORCEMENT OFFICERS
 02 HIGHWAY FUNDS 1,803,689
 TOTAL 1,803,689

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 04 DIVISION OF ENFORCEMENT
 03 EMISSION CONTROL UNIT

10 PERSONAL SERVICES - PERMANENT 140,164
 20 CURRENT EXPENSES 42,540
 22 RENTS & LEASES TO NON-STATE 1,800
 24 MAINT OTHER THAN BLDGGRNDS 2,000
 28 TRANSFERS TO GEN'L SERVICES 2,099
 TOTAL 148,603

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02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 04 DIVISION OF ENFORCEMENT
 03 EMISSION CONTROL UNIT

30 EQUIPMENT SERVICES - OTHER 14,432
 50 PERSONAL SERVICES - OTHER 3,000
 60 IN-STATE TRAVEL 35,000
 70 OUT-OF-STATE TRAVEL 4,125
 TOTAL 213,961

ESTIMATED SOURCE OF FUNDS FOR
 EMISSION CONTROL UNIT
 02 HIGHWAY FUNDS 283,024
 GENERAL FUND 283,024
 TOTAL 283,024

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 04 DIVISION OF ENFORCEMENT
 04 HIGHWAY ENFORCEMENT - FEDERAL

10 PERSONAL SERVICES - PERMANENT 223,352
 20 CURRENT EXPENSES 19,580
 30 EQUIPMENT COSTS 56,600
 40 INDIAN COSTS 25,600
 50 PERSONAL SERVICES - OTHER 14,251
 60 BENEFITS 14,503
 70 IN-STATE TRAVEL 52,480
 80 OUT-OF-STATE TRAVEL 27,460
 TOTAL 1,540

TOTAL 419,171

ESTIMATED SOURCE OF FUNDS FOR
 HIGHWAY ENFORCEMENT - FEDERAL
 00 FEDERAL FUNDS 249,942
 00 GENERAL FUND 83,834
 TOTAL 333,776

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 04 DIVISION OF ENFORCEMENT
 05 BINGO INSPECTION

10 PERSONAL SERVICES PERMANENT 113,719
 20 CURRENT EXPENSES 8,000
 28 TRANSFERS TO GEN L SERVICES 2,229
 30 EQUIPMENT 10,200
 50 PERSONAL SERVICES - OTHER 2,000

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 04 DIVISION OF ENFORCEMENT
 05 BINGO INSPECTION

10 PERSONAL SERVICES PERMANENT 113,719
 20 CURRENT EXPENSES 8,000
 28 TRANSFERS TO GEN L SERVICES 2,229
 30 EQUIPMENT 10,200
 50 PERSONAL SERVICES - OTHER 2,000

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
05 DIVISION OF ENFORCEMENT					
05 BINGO INSPECTION					
(CONT)					
(CONT)					
(CONT)					
60 BENEFITS					
70 IN-STATE TRAVEL	25,501		27,446		
80 OUT-OF-STATE TRAVEL	15,000		14,500		
	2,000		2,000		
TOTAL		174,238		180,108	
ESTIMATED SOURCE OF FUNDS FOR					
BINGO INSPECTION		174,238		180,108	
01 OTHER AGENCY FUNDS		174,238		180,108	
TOTAL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR		2,793,772		2,715,166	
DIVISION OF ENFORCEMENT					
FEDERAL FUNDS		248,942		251,582	
STATE FUNDS		785,392		60,259	
LOCAL FUNDS		2,458,435		2,402,325	
OTHER FUNDS					
TOTAL		2,793,772		2,715,166	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
05 DIVISION OF STATE POLICE					
01 COMMUNICATIONS SECTION					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY	485,384		495,963		
20 CURRENT EXPENSES	3,542		3,542		
22 RENT	259,200		259,200		
23 RENT	24,000		24,000		
24 MAINT OTHER THAN BLDG	24,000		24,000		
28 TRANSFERS TO GEN L SERVICES	2,400		2,400		
30 EQUIPMENT	8,647		8,700		
40 BENEFITS	98,500		98,500		
50 TRAVEL	132,453		125,007		
60 OUT-OF-STATE TRAVEL	3,000		3,000		
90 RADIO PARTS	15,000		15,000		
91 COMMUNICATIONS - LOCAL	24,000		24,000		
93 N L E T S	1		1		
TOTAL		1,089,127		1,095,820	

* COLLECTIONS RECEIVED FROM LOCAL COMMUNITIES OR
CONTRACTORS FOR SERVICES PROVIDED SHALL BE
CONTINUALLY APPROPRIATED FOR USE IN THIS CLASS.

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02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 05 DIVISION OF STATE POLICE
 01 COMMUNICATIONS SECTION

1 CONT 1
 1 CONT 1
 1 CONT 1

ESTIMATED SOURCE OF FUNDS FOR
 02 HIGHWAY FUNDS
 01 PRIVATE LOCAL FUNDS
 TOTAL

1 089 126
 1
 1 089 127

1 095 813
 1
 1 095 820

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HIGHWAY FUND REIMBURSED. ACTUAL COSTS SHALL
 BE CHARGED TO THE HIGHWAY FUND FOR SERVICES
 PERFORMED FOR ALL STATE DEPARTMENTS (AGEN-
 CIES, COUNTIES, CITIES AND TOWNS, EXCLUDING
 ONLY EQUIPMENT FROM SUCH STATE DEPARTMENTS
 AS ARE MAINTAINED BY THE HIGHWAY FUND. SUCH CHARGES SHALL BE
 SUFFICIENTLY HIGH TO DEFRAY ALL COSTS INVOLVED
 INCLUDING LABOR OVERHEAD AND PARTS AT REPLAC-
 EMENT COST SO THAT THERE IS NO EXPENSE TO THE
 HIGHWAY FUND

02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 05 DIVISION OF STATE POLICE
 02 DETECTIVE BUREAU

10 PERSONAL SERVICES - PERMANENT
 19 HOLIDAY PAY
 22 AGENTS & CLERKS
 24 AGENTS & CLERKS TO NON-STATE
 24 PAINT OTHER THAN BUDGAGNOS
 28 TRANSFERS TO GEN L SERVICES
 30 EQUIPMENT SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 LAB SUPPLIES
 91 STATE POLICE EVIDENCE ACCOUNT

1 359,609
 76,032
 80,850
 7,600
 61,759
 264,400
 125,000
 430,500
 30,500
 11,600
 40,000
 20,000

3 215 315

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DETECTIVE BUREAU
 02 HIGHWAY FUNDS
 01 PRIVATE LOCAL FUNDS
 TOTAL

2 036 320
 18 756
 90 600
 7 400
 62 120
 187 500
 125 000
 513 924
 30 500
 11 100
 40 000
 20 000

3 215 340

2 201 741
 9 000 605
 3 215 346

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02 ADMIN OF JUSTICE & PUBLIC PRIN
15 DEPARTMENT OF SAFETY
05 DIVISION OF STATE POLICE
03 TRAFFIC BUREAU

10 PERSONAL SERVICES - PERMANENT	7,296,941	7,406,936
11 SALARY OF DIRECTOR	58,534	58,714
16 PERMANENT EMPLOYEE OVERTIME		
18 CURRENT EXPENSES	379,286	391,432
20 RENTS & LEASES TO NON-STATE	376,730	368,735
22 HEAT, ELECTRICITY, & WATER	73,323	44,869
24 TRAINING, OTHER THAN BLOSSARDS	15,000	12,000
26 TRAVEL	43,082	43,082
30 EQUIPMENT TO GEN L SERVICES	1,089,020	842,600
50 PERSONAL SERVICES - OTHER	263,093	263,485
60 BENEFITS	1,799,122	1,905,861
70 IN-STATE TRAVEL	753,000	753,000
80 OUT-OF-STATE TRAVEL	32,000	9,900
90 AMMUNITION	32,000	32,000
92 TRAINING DOGS	14,000	14,000
94 VIDEO AND RECORDING TAPE	3,000	3,000
95 IN-SERVICE TRAINING	10,000	10,000
* COLLECTIONS RECEIVED FROM LOCAL COMMUNITIES OR CONTRACTORS FOR SERVICES PROVIDED SHALL BE CONTINUALLY APPROPRIATED FOR USE IN THIS CLASS		
* WITHIN THIS APPROPRIATION, AN AMOUNT SHALL BE MADE AVAILABLE FOR THE PURPOSE OF PROVIDING THE NECESSARY FUNDING FOR THE RELOCATION OF THE STATE POLICE BARRACKS IN HILFORD IN MEMORY OF MAJ JOHN T. CONTI, SGT ROGER HILTON, & SGT WILLIAM SMITH, IN RECOGNITION OF THEIR LONG AND DISTINGUISHED CAREERS WITH THE NH STATE POLICE		
TOTAL	12,228,052	12,150,946
ESTIMATED SOURCE OF FUNDS FOR		
TRAFFIC BUREAU, FUNDS		
02 OTHER AGENCY FUNDS	1,206,362	1,206,362
03 OTHER AGENCY FUNDS	10,590,126	10,590,011
05 PRIVATE LOCAL FUNDS	1	1
GENERAL FUND	7,193	24,572
TOTAL	12,228,052	12,150,946

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
05 DIVISION OF STATE POLICE					
04 AUXILIARY POLICE					
20 CURRENT EXPENSES					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
TOTAL				2,000	2,000
ESTIMATED SOURCE OF FUNDS FOR				37,700	37,800
AUXILIARY POLICE				2,884	2,868
01 OTHER AGENCY FUNDS					
02 HIGHWAY FUNDS				42,584	43,768
TOTAL				4,259	4,377
				38,355	39,391
				42,584	43,768
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
05 DIVISION OF STATE POLICE					
05 AIRCRAFT TRAFFIC SURVEILLANCE					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
TOTAL				38,280	38,280
ESTIMATED SOURCE OF FUNDS FOR				5,400	5,400
AIRCRAFT TRAFFIC SURVEILLANCE				43,680	43,680
01 OTHER AGENCY FUNDS					
02 HIGHWAY FUNDS				4,368	4,368
TOTAL				39,312	39,312
				43,680	43,680
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPARTMENT OF SAFETY					
05 DIVISION OF STATE POLICE					
06 DWI ENFORCEMENT UNIT					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
54 MAINTENANCE OTHER THAN BLDGGRNDS					
60 BENEFITS					
TOTAL				139,383	145,373
ESTIMATED SOURCE OF FUNDS FOR				9,900	9,900
DWI ENFORCEMENT UNIT				10,000	10,000
02 HIGHWAY FUNDS				32,078	34,890
70 IN-STATE TRAVEL				25,000	25,000
80 OUT-OF-STATE TRAVEL				2,000	2,000
TOTAL				282,441	297,263
ESTIMATED SOURCE OF FUNDS FOR				282,441	297,263
DWI ENFORCEMENT UNIT				26,000	26,000
02 HIGHWAY FUNDS				282,441	297,263
TOTAL					

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32 ADMIN OF JUSTICE & PUBLIC PRIN				
15 DEPARTMENT OF SAFETY				
05 DIVISION OF STATE POLICE				
07 STATE POLICE INTERSTATE				
10 PERSONAL SERVICES - PERMANENT		217,488	339,510	353,123
20 CURRENT EXPENSES		25,000		226,712
30 EQUIPMENT		15,000		25,000
60 BENEFITS		50,022		15,000
70 IN-STATE TRAVEL		30,000		54,411
80 OUT-OF-STATE TRAVEL		2,000		3,000
TOTAL				2,000
ESTIMATED SOURCE OF FUNDS FOR				
STATE POLICE INTERSTATE			339,510	353,123
02 HIGHWAY FUNDS			339,510	353,123
TOTAL				
32 ADMIN OF JUSTICE & PUBLIC PRIN				
15 DEPARTMENT OF SAFETY				
05 DIVISION OF STATE POLICE				
08 HAMPTON BEACH DETAIL				
50 PERSONAL SERVICES - OTHER		32,150		32,150
60 BENEFITS		2,459		2,459
TOTAL			34,609	34,609
ESTIMATED SOURCE OF FUNDS FOR				
HAMPTON BEACH DETAIL			34,609	34,609
02 HIGHWAY FUNDS			34,609	34,609
TOTAL				
32 ADMIN OF JUSTICE & PUBLIC PRIN				
15 DEPARTMENT OF SAFETY				
05 DIVISION OF STATE POLICE				
09 INTRASTATE MISDEMEANOR				
10 PERSONAL SERVICES - PERMANENT		16,165	33,693	17,313
20 CURRENT EXPENSES		9,310		8,800
30 EQUIPMENT		3,718		4,155
60 BENEFITS		2,000		2,000
70 IN-STATE TRAVEL		2,000		2,000
80 OUT-OF-STATE TRAVEL				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR				
INTRASTATE MISDEMEANOR			33,693	34,768
02 HIGHWAY FUNDS			33,693	34,768
GENERAL FUND			26,954	27,815
TOTAL			33,693	6,953
TOTAL			17,309,612	17,219,317

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 02 ADMIN. OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 06 DIVISION OF STATE POLICE

ESTIMATED SOURCE OF FUNDS FOR
 DIVISION OF STATE POLICE
 GENERAL FUND
 OTHER FUNDS
 TOTAL

02 ADMIN. OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 06 DIVISION OF SAFETY SERVICES
 01 WATERCRAFT SAFETY

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 21 TRAVEL
 22 RENTS & LEASES TO NON-STATE
 23 HEAT, ELECTRICITY & WATER
 24 MAINT. OTHER THAN BLDGGRNDS
 26 TRANSFERS TO GEN L SERVICES
 28 EQUIPMENT
 30 PERSONAL SERVICES - OTHER
 40 BENEFITS
 50 IN-STATE TRAVEL
 60 OUT-OF-STATE TRAVEL
 80 OUTPOSTS/RECTOR/BEAT RENTAL
 90 BOAT PLATES/ENVELOPES
 93 MOORING ENFORCEMENT

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 WATERCRAFT SAFETY
 GENERAL FUND
 TOTAL

02 ADMIN. OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 06 DIVISION OF SAFETY SERVICES
 02 AERIAL LIFT SAFETY

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 26 TRANSFERS TO GEN L SERVICES
 30 EQUIPMENT
 40 BENEFITS
 50 IN-STATE TRAVEL

978,702
 16,300,802
 17,309,602

203,770
 48,036
 120,000
 4,000
 8,200
 6,200
 6,314
 117,000
 300,000
 78,568
 45,000
 15,000
 45,000
 80,000

1,091,326

1,101,737

1,091,326

1,101,737

66,321
 3,900
 12,268
 1,200
 16,000
 3,200

66,121
 3,900
 12,268
 1,100
 15,292
 3,200

D

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02 ADMIN OF JUSTICE & PUBLIC PRIN	(CONT)				
15 DEPT OF SAFETY	(CONT)				
00 DEPARTMENT OF SAFETY SERVICES	(CONT)				
02 AERIAL LIFT SAFETY	(CONT)				
80 OUT-OF-STATE TRAVEL		1,100		1,300	
95 REGULATION-CARNIVAL EQUIPM T		3,300		3,500	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
DEPT OF SAFETY		108,281		109,912	
AGENCY INCOME		12,000		12,000	
GENERAL FUND		96,281		97,912	
TOTAL		108,281		109,912	
TOTAL			1,199,607		1,211,649
ESTIMATED SOURCE OF FUNDS FOR					
DIVISION OF SAFETY SERVICES					
GENERAL FUND			1,197,607		1,199,649
OTHER FUNDS			12,000		12,000
TOTAL			1,199,607		1,211,649
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPT OF SAFETY					
07 STATE OVERHEAD CHARGES					
40 INDIRECT COSTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
STATE OVERHEAD CHARGES					
DEPT OF SAFETY					
GENERAL FUND					
TOTAL					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
15 DEPT OF SAFETY					
08 DEPT OF SAFETY DEBT SERVICE					
40 DEBT SERVICE (TREASURY)					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
DEPT OF SAFETY DEBT SERVICE					
DEPT OF SAFETY					
GENERAL FUND					
TOTAL					

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02 ADMIN OF JUSTICE & PUBLIC PRIN
15 DEPARTMENT OF SAFETY
08 DEPT OF SAFETY DEPT SERVICE

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426.049

446.612

TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
15 DEPARTMENT OF SAFETY
08 DEPT OF SAFETY DEPT SERVICE
01 ELECTRICIANS BOARD

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
28 TRANSFERS TO GEN L SERVICES
30 EQUIPMENT
50 PERSONAL SERVICES - OTHER
60 TRAVEL
80 OUT-OF-STATE TRAVEL

129,353
16,232
1,883
6,000
2,350
4,500
1,000

TOTAL
ESTABLISHED SOURCE OF FUNDS FUP
ELECTRICIANS BOARD
GENERAL FUND
TOTAL

193,293
195,070
195,070
195,070

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
ALL BOARDS AND COMMISSIONS WHICH HAVE NOT
ESTABLISHED FEES FOR EXAMINATIONS SHALL
APPLICANTS FOR A LICENSE OR
REGISTRATION A PUBLICATION WHICH THEY SELL, OR
ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFIC-
ALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT
SUCH FEES AS THE BOARD OR COMMISSION SHALL
DETERMINE. SUCH FEES SHALL BE COVERED ON AN ANNUAL
OR BIENNIAL BASIS THE FULL COST OF THE PROGRAM
INCLUDING THE COST OF SUPPORT AND ADMINISTRAT-
IVE SERVICES PROVIDED BY OTHER AGENCIES, OR
THE COST OF THE PROGRAM WHICH EVER
IS GREATER. A BOARD OR COMMISSION WHICH ESTAB-
LISHES FEES FOR EXAMINATIONS APPLICANTS MAY
EXPEND SUCH FUNDS FOR EXAMINATIONS RELATED
SERVICES, OR SUCH AS A FEE FOR ADMISSION TO
EXCEED THE DIRECT COST OF THE EXAMINATION

TOTAL

193,293

195,070

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 02 ADMIN OF JUSTICE & PUBLIC PRIN
 15 DEPARTMENT OF SAFETY
 09 REGULATION OF ELECTRICIANS BD

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 (CONT)
 (CONT)
 (CONT)

ESTIMATED SOURCE OF FUNDS FOR
 REGULATION OF ELECTRICIANS BD
 GENERAL FUND
 TOTAL

193,293
 193,293
 195,070
 195,070

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DEPARTMENT OF SAFETY
 FEDERAL FUNDS
 GENERAL FUND
 OTHER FUNDS
 TOTAL

37,316,413
 37,316,413
 249,942
 3,422,119
 33,644,352
 37,316,413
 37,226,919
 251,582
 3,399,503
 33,575,834
 37,226,919

02 ADMIN OF JUSTICE & PUBLIC PRIN
 16 DEPARTMENT OF CORRECTIONS
 01 OFFICE OF COMMISSIONER
 01 ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 20 PERSONAL SERVICES - UNCLASSIFIED
 21 CURRENT SERVICES
 22 RENTS & LEASES
 23 NON-STATE
 24 MAINT OTHER THAN BLDGGRNDS
 30 EQUIPMENT
 40 PERSONAL SERVICES - OTHER
 50 PERSONAL SERVICES
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

305,282
 37,534
 4,000
 3,505
 3,373
 11,900
 11,331
 8,231
 2,690
 4,000

320,232
 37,534
 4,000
 3,505
 3,373
 11,331
 91,231
 2,690
 4,000

THE FOLLOWING POSITION IS AUTHORIZED
 BEGINNING 1/1/90 POSITION NUMBER 00197

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION
 GENERAL FUND
 TOTAL

512,999
 512,999
 512,999

534,265
 534,265
 534,265

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02 ADMIN. OF JUSTICE & PUBLIC PRTN
16 DEPARTMENT OF CORRECTIONS
01 OFFICE OF COMMISSIONER
02 PAROLE BOARD

10 PERSONAL SERVICES - PERMANENT
11 PERSONAL SERVICES-UNCLASSIFIED
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
24 RENT OTHER THAN ELDORADO
50 PERSONAL SERVICES - OTHER
60 PERSONAL SERVICES - OTHER
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
90 WITNESS FEES

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
PAROLE BOARD
GENERAL FUND
TOTAL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
OFFICE OF COMMISSIONER
GENERAL FUND
TOTAL

02 ADMIN. OF JUSTICE & PUBLIC PRTN
16 DEPARTMENT OF CORRECTIONS
02 DIVISION OF ADMINISTRATION
01 BUREAU OF FISCAL MANAGEMENT

10 PERSONAL SERVICES - PERMANENT
11 PERSONAL SERVICES-UNCLASSIFIED
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
50 PERSONAL SERVICES - OTHER
60 PERSONAL SERVICES - OTHER
70 IN STATE TRAVEL

THE FOLLOWING POSITION IS AUTHORIZED
BEGINNING 1-1-90 POSITION NUMBER 00198

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
BUREAU OF FISCAL MANAGEMENT

34,191
28,095
13,327
2,784
2,784
1,300
7,852
14,927
5,000
3,000
2,000

112,899

112,899

112,899

625,898

625,898

625,898

34,191
30,155
13,327
2,784
2,784
1,300
7,852
16,044
5,000
3,000
2,000

115,346

115,346

115,346

643,611

643,611

643,611

173,857
38,195
1,500
4,000
4,000
47,226
1,000

258,628

276,819

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02 ADMIN OF JUSTICE & PUBLIC PRTN					
16 DEPARTMENT OF CORRECTIONS					
02 DIVISION OF ADMINISTRATION					
01 BUREAU OF FISCAL MANAGEMENT					
(CONT)					
(CONT)					
(CONT)					
(CONT)					
GENERAL FUND					
TOTAL					
02 ADMIN OF JUSTICE & PUBLIC PRTN					
16 DEPARTMENT OF CORRECTIONS					
02 DIVISION OF ADMINISTRATION		258,628		276,819	
02 BUREAU OF PERSONNEL		258,628		276,819	
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	90,206		93,378		
22 RENTS & LEASES TO NON-STATE	95		95		
24 EQUIPMENT	20,747		22,411		
60 BENEFITS	300		300		
70 IN-STATE TRAVEL	1,000		1,000		
80 OUT-OF-STATE TRAVEL					
TOTAL	113,253		118,089		
ESTIMATED SOURCE OF FUNDS FOR					
BUREAU OF PERSONNEL					
GENERAL FUND	113,253		118,089		
TOTAL	113,253		118,089		
02 ADMIN OF JUSTICE & PUBLIC PRTN					
16 DEPARTMENT OF CORRECTIONS					
02 DIVISION OF ADMINISTRATION					
03 BUREAU OF OFFENDER RECORDS					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	124,497		125,708		
22 RENTS & LEASES TO NON-STATE	11,016		11,016		
24 EQUIPMENT	3,806		3,806		
60 BENEFITS	4,000		4,000		
60 BENEFITS	28,634		30,170		
TOTAL	173,131		171,878		
ESTIMATED SOURCE OF FUNDS FOR					
BUREAU OF OFFENDER RECORDS					
GENERAL FUND	173,131		171,878		
TOTAL	173,131		171,878		
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR		545,012		566,786	
DIVISION OF ADMINISTRATION					
GENERAL FUND		545,012		566,786	
TOTAL		545,012		566,786	

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02 ADMIN OF JUSTICE & PUBLIC PRIN
16 DEPARTMENT OF CORRECTIONS
00 DIVISION OF PAROLE & PROBATION
01 BUREAU OF SECURITY

10 PERSONAL SERVICES - PERMANENT **

20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
24 MAINT OTHER THAN BLDG&GRNDS
50 PERSONAL SERVICES - OTHER
70 PERSONAL TRAVEL
80 OUT-OF-STATE TRAVEL
90 AWARDS-GATE MONEY
91 CUSTODY OF CERTAIN INMATES
92 INMATE SALARIES
93 EMPLOYEE RETIREMENT
96 UNIFORMS

5,962,850
207,503
83,225
225
2,088
750,006
1,476,579
1,522
10,650
20,000
20,000
6,453
378,000
20,000
45,000

6,308,427

** THE FOLLOWING POSITIONS ARE AUTHORIZED

REMAINING 10/1/89 00233 00234 00235
1/1/90 00236 00237 00238
4/1/90 00239 00240 00241 00242 00243
5/1/90 00284 00286 00287 00288 00294
00295 00296 00297 00298 00299

* THIS APPROPRIATION SHALL BE AVAILABLE FOR THE
OPERATION AND CUSTODY OF UNMANAGEABLE
TRANSFERRED TO THE GENERAL FUND OF THE
FEDERAL PENITENTIARIES WHEN NO SUITABLE
INSTITUTION EXISTS IN NEW HAMPSHIRE THIS
APPROPRIATION WILL BE A REVOLVING FUND
FUNDS RECEIVED FROM OTHER INSTITUTIONS FOR
DEPOSITED TO THIS APPROPRIATION TO REPLENISH
THE BALANCE AVAILABLE TO A MAXIMUM OF \$25000
EXCESS FUNDS WILL BE DEPOSITED IN THE GENERAL
FUND NO PART OF THIS APPROPRIATION
SHALL BE TRANSFERRED TO ANY OTHER
APPROPRIATION OR EXPENDED FOR ANY OTHER
PURPOSE

TOTAL
TOTAL SOURCE OF FUNDS FOR
BUREAU OF SECURITY
09 AGENCY INCOME
GENERAL FUND
TOTAL

8,945,507
56,000
8,887,507
8,943,507

9,435,727
50,000
9,385,727
9,435,727

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32 ADMIN OF JUSTICE & PUBLIC PRIN
 16 DEPARTMENT OF CORRECTIONS
 03 DIVISION OF CORRECTIONS
 01 DIVISION OF PROGRAMS
 01 ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 60 BENEFITS

65,971
 15,833

81,804

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION
 GENERAL FUND
 TOTAL

81,144

81,804

32 ADMIN OF JUSTICE & PUBLIC PRIN
 16 DEPARTMENT OF CORRECTIONS
 03 DIVISION OF CORRECTIONS
 01 DIVISION OF PROGRAMS
 02 CHAPLAINCY

10 PERSONAL SERVICES - PERMANENT
 20 CHAPLAIN SERVICES
 52 HASTEPS - BENEFITED
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

56,867
 1,895
 35
 247
 13,881
 500
 750

74,788

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 CHAPLAINCY
 GENERAL FUND
 TOTAL

72,891

74,788

74,788

32 ADMIN OF JUSTICE & PUBLIC PRIN
 16 DEPARTMENT OF CORRECTIONS
 03 DIVISION OF CORRECTIONS
 01 DIVISION OF PROGRAMS
 03 MENTAL HEALTH

10 PERSONAL SERVICES - PERMANENT
 20 CHAPLAIN SERVICES
 30 EQUIPMENT
 46 CONSULTANTS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

502,362
 2,591
 2,109
 800
 15,000
 120,330
 1,300
 1,700

643,214

* SEE FOLLOWING POSITIONS ARE AUTHORIZED
 BEGINNING 7/1/90 00244 1/1/90. 00255

556,049

TOTAL

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
16 DEPARTMENT OF CORRECTIONS					
03 DIVISION OF ADULT SERVICES					
02 BUREAU OF PROGRAMS					
03 MENTAL HEALTH					
ESTIMATED SOURCE OF FUNDS FOR					
MENTAL HEALTH					
GENERAL FUND		556 049		543 205	
TOTAL		556 049		543 205	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
16 DEPARTMENT OF CORRECTIONS					
03 DIVISION OF ADULT SERVICES					
02 BUREAU OF PROGRAMS					
04 EDUCATION & VOC TRAINING					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		531,128		584,538	
24 MAINT OTHER THAN BLDGS&GRDS		13,491		13,491	
25 EQUIPMENT		15,700		15,700	
26 BENEFITS		122,160		140,269	
70 IN-STATE TRAVEL		30,000		400	
90 LIBRARY EXPENSES		30,000		30,000	
91 VOCATIONAL TRAINING		10,200		10,200	
TOTAL		723,422		740,461	
EDUCATION & VOC TRAINING		723,422		730,461	
GENERAL FUND		723,422		730,461	
TOTAL		723,422		730,461	
02 ADMIN OF JUSTICE & PUBLIC PRIN					
16 DEPARTMENT OF CORRECTIONS					
03 DIVISION OF ADULT SERVICES					
02 BUREAU OF PROGRAMS					
05 MEDICAL & DENTAL					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		553,500		652,958	
24 MAINT OTHER THAN BLDGS&GRDS		73,200		83,200	
25 EQUIPMENT		1,700		1,700	
45 PERSONNEL SVCS-NON BENEFIT		515,700		514,700	
45 TRANS TO OTHER STATE AGTS		30,000		30,000	
50 PERSONAL SERVICES - OTHER		13,278		13,278	
70 IN-STATE TRAVEL		750		138,581	
90 OUT-OF-STATE TRAVEL		750		750	

* THE FOLLOWING POSITIONS ARE AUTHORIZED
 BEGINNING 10.1.83 00188 00189 1.1.90
 00190 00191

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02 ADMIN OF JUSTICE & PUBLIC PRIN (CONT)
 16 DEPARTMENT OF CORRECTIONS (CONT)
 03 DIVISION OF ADULT SERVICES (CONT)
 04 BUREAU OF PROGRAMS (CONT)
 05 MEDICAL & DENTAL (CONT)

12 135 13,135
 364,300 464,300

* THE FOLLOWING POSITIONS ARE AUTHORIZED
 BEGINNING 1/1/90 00260 00261 00225

** THIS APPROPRIATION SHALL BE USED TO PURCHASE
 PHARMACEUTICAL SUPPLIES FROM THE NEW HAMPSHIRE
 STATE HOSPITAL UNDER WHATEVER COOPERATIVE
 AGREEMENTS ARE ENTERED INTO BETWEEN THE
 DEPARTMENT OF CORRECTIONS AND THE SUPERINTENDENT OF THE
 NEW HAMPSHIRE STATE HOSPITAL
 IF THIS APPROPRIATION IS IN EXCESS OF THE
 AMOUNT NECESSARY TO FULFILL SAID AGREEMENT
 THE EXCESS SHALL BE USED TO PURCHASE THE
 NECESSARY SAID EXCESS INTO EITHER CLASS 20,
 CURRENT EXPENSE OR CLASS 93 OUTSIDE MEDICAL
 SERVICES OR BOTH

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 MEDICAL & DENTAL
 GENERAL FUND
 TOTAL
 1,834,286 2,011,607
 1,834,286 2,011,607
 1,834,286 2,011,607

02 ADMIN OF JUSTICE & PUBLIC PRIN
 16 DEPARTMENT OF CORRECTIONS
 03 DIVISION OF ADULT SERVICES
 04 BUREAU OF PROGRAMS
 06 PRE-RELEASE

10 PERSONAL SERVICES - PERMANENT 50,458
 20 CURRENT EXPENSES 800
 60 BENEFITS 12,345
 70 IN-STATE TRAVEL 1,000
 63,863 65,583

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PRE-RELEASE
 GENERAL FUND
 TOTAL
 63,863 65,583
 63,863 65,583

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02 ADMIN OF JUSTICE & PUBLIC PRIN
16 DEPARTMENT OF CORRECTIONS
03 DIVISION OF ADULT SERVICES
01 BUREAU OF PROGRAMS
11 LSQA - LIBRARY

20 CURRENT EXPENSES
40 INDIRECT COSTS
31 ACCT FUND SET ASIDE

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
LSQA LIBRARY
01 OTHER AGENCY FUNDS
TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
16 DEPARTMENT OF CORRECTIONS
03 DIVISION OF ADULT SERVICES
01 BUREAU OF SERVICES
01 KITCHEN

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
21 FOOD INSTITUTIONS
24 MAINT OTHER THAN BLDGGRNDS
30 EQUIPMENT
50 PERSONAL SERVICES - OTHER
40 SENIATE TRAVEL
90 FARM PRODUCTS

THE FOLLOWING POSITIONS ARE AUTHORIZED
BEGINNING 1/1/90 00263 00226

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
GENERAL FUND
TOTAL

02 ADMIN OF JUSTICE & PUBLIC PRIN
16 DEPARTMENT OF CORRECTIONS
03 DIVISION OF ADULT SERVICES
01 BUREAU OF SERVICES
02 MAINTENANCE

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
23 HEAT ELECTRICITY & WATER
24 MAINT OTHER THAN BLDGGRNDS

6,932
381
15

7,328

7,328
7,328

266,292
1,333,483
1,350
1,350
25,000
10,588
64,720
5,500
19,000

1,773,483

1,773,483
1,773,483

502,885
144,803
144,197
899,190
45,000

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02 ADMIN. OF JUSTICE & PUBLIC PRIN 16 DEPARTMENT OF CORRECTIONS 03 DIVISION OF ADULT SERVICES 04 BUREAU OF PRISON INDUSTRIES 01 PRISON INDUSTRIES GENERAL FUND TOTAL	551,514 551,514	579,806 579,806
02 ADMIN. OF JUSTICE & PUBLIC PRIN 16 DEPARTMENT OF CORRECTIONS 03 DIVISION OF ADULT SERVICES 04 BUREAU OF PRISON INDUSTRIES 02 AGRICULTURE 10 PERSONAL SERVICES - PERMANENT 60 BENEFITS TOTAL ESTIMATED SOURCE OF FUNDS FOR AGRICULTURE GENERAL FUND TOTAL	27,360 6,239 33,653 33,653 33,653 33,653	28,491 6,838 35,329 35,329 35,329 35,329
02 ADMIN. OF JUSTICE & PUBLIC PRIN 16 DEPARTMENT OF CORRECTIONS 03 DIVISION OF ADULT SERVICES 05 BUREAU OF COMMUNITY CORRECTION 01 MINIMUM SECURITY UNIT 10 PERSONAL SERVICES - PERMANENT 20 CURRENT EXPENSES 60 BENEFITS TOTAL ESTIMATED SOURCE OF FUNDS FOR MINIMUM SECURITY UNIT GENERAL FUND TOTAL	89,842 12,810 16,000 20,664 139,316 139,316 139,316	91,505 12,810 16,000 21,961 142,276 142,276 142,276
02 ADMIN. OF JUSTICE & PUBLIC PRIN 16 DEPARTMENT OF CORRECTIONS 03 DIVISION OF ADULT SERVICES 05 BUREAU OF COMMUNITY CORRECTION 02 CONCORD COMMUNITY CORRECTIONAL 10 PERSONAL SERVICES - PERMANENT 20 CURRENT EXPENSES 22 RENTS & LEASES TO NON-STATE 23 HEAT, ELECTRICITY, & WATER 24 TRAINING OTHER THAN ROADGRADS 60 BENEFITS 60 BENEFITS	98,726 14,456 76 15,900 1,700 1,860 22,707	100,208 15,456 76 15,900 1,700 1,860 24,050

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02 ADMIN OF JUSTICE & PUBLIC PRIN
03 DIVISION OF CORRECTIONS
04 DIVISION OF ADULT SERVICES
05 ADULT SERVICES ADMINISTRATION

GENERAL FUND
TOTAL

429,675
429,675
447,849
447,849

INMATE ACTIVITIES ACCOUNTS THE NEW HAMPSHIRE
STATE PRISON IS REIMBURSED A QUARTERLY PERCENT-
AGE OF THE TOTAL DOLLARS OF PHONE CALLS MADE BY
RESIDENTS ON THE COLLECT ONLY PHONES LOCATED
WITHIN THE PRISON. THE REVENUE FROM THESE CALLS
REVERTS BACK TO THE RESIDENT ACTIVITIES TRUST
ACCOUNT TO HELP FUND THE COST OF RECREATIONAL
EQUIPMENT AND SUPPLIES

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
DIVISION OF ADULT SERVICES
GENERAL FUND
OTHER FUNDS
TOTAL

17,516,386
18,488,640
17,451,058
18,421,312
17,516,386
18,488,640

02 ADMIN OF JUSTICE & PUBLIC PRIN
03 DIVISION OF CORRECTIONS
04 DIVISION OF ADULT SERVICES
05 ADULT SERVICES ADMINISTRATION
06 BUREAU OF DISTRICT OFFICES

10 PERSONAL SERVICES - PERMANENT
11 PERSONAL SERVICES - TEMPORARY
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
24 MAINT. OTHER THAN BLDGGRNDS
28 TRANSFERS TO GEN L SERVICES
30 TRANSFERS TO DISTRICTS
50 PERSONAL SERVICES - OTHER
60 BENEFITS
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
93 SHERIFF REIMBURSEMENT

1,880,885
48,495
93,115
129,454
2,200
2,200
51,500
177,328
457,323
56,984
1,000,000
1,500

1,991,874
48,495
93,115
129,454
2,200
2,200
51,500
177,328
503,555
60,984
1,000,000
1,500

THE FOLLOWING POSITIONS ARE AUTHORIZED
REGULATORY POSITIONS
10/1/90 00230 11 91 00289

TOTAL

2,909,977

1,25

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
16 DEPARTMENT OF CORRECTIONS					
10 DIVISION OF FIELD SERVICES					
01 BUREAU OF DISTRICT OFFICES					
(CONT)					
(CONT)					
(CONT)					
ESTIMATED SOURCE OF FUNDS FOR					
BUREAU OF DISTRICT OFFICES					
GENERAL FUND					
TOTAL					
2 909 977					
2 909 977					
3 045 260					
3 045 260					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
16 DEPARTMENT OF CORRECTIONS					
04 DIVISION OF FIELD SERVICES					
03 BUREAU OF ENFORCEMENT					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
24 MAINT OTHER THAN BLDG&GRNDS					
50 BENEFIT TRAVEL					
60 OUT-OF-STATE TRAVEL					
TOTAL					
29 663					
30 911					
485					
35					
6 895					
7 100					
100					
39 030					
37 185					
37 185					
39 030					
39 030					
2 947 162					
2 947 162					
2 947 162					
3 084 290					
3 084 290					
3 084 290					
02 ADMIN OF JUSTICE & PUBLIC PRIN					
16 DEPARTMENT OF CORRECTIONS					
05 DIVISION OF MED-FORENSIC SVS					
02 SECURE PSYCHIATRIC UNIT					
10 PERSONAL SERVICES - PERMANENT					
12 PERSONAL SERVICES-UNCLASSIFIED					
20 CURRENT EXPENSES					
24 MAINT OTHER THAN BLDG&GRNDS					
50 BENEFIT TRAVEL					
60 OUT-OF-STATE TRAVEL					
TOTAL					
1 967 816					
1 999 219					
52 652					
52 652					
55 407					
80 000					
80 000					
1 311					
1 311					
28 356					
28 356					
125 000					
125 000					
20 000					
20 000					
0					
6					

		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----																																																																
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02 ADMIN OF JUSTICE & PUBLIC PRIN																																																																				
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06 KIDNAP PRISON																																																																				
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TOTAL		1,326,757		1,849,294																																																																
TOTAL																																																																				
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<table border="0"> <tr> <td>10 PERSONAL SERVICES - PERMANENT</td> <td>7,758,018</td> <td>7,870,699</td> </tr> <tr> <td>11 SALARY COMMISSIONER</td> <td>58,134</td> <td>58,134</td> </tr> <tr> <td>12 SALARY OF THE GENERAL COUNSEL</td> <td>48,495</td> <td>48,495</td> </tr> <tr> <td>13 SALARIES OF COUNSEL</td> <td>89,506</td> <td>89,506</td> </tr> <tr> <td>14 HOLIDAY PAY</td> <td>12,000</td> <td>12,000</td> </tr> <tr> <td>15 TRAVEL & PER DIEM</td> <td>1,324,639</td> <td>1,324,639</td> </tr> <tr> <td>20 RENT & FEES</td> <td>1,575,000</td> <td>1,575,000</td> </tr> <tr> <td>22 RENT & FEES TO NON-STATE</td> <td>150,000</td> <td>150,000</td> </tr> <tr> <td>23 HEAT, ELECTRICITY & WATER</td> <td>350,000</td> <td>350,000</td> </tr> <tr> <td>34 MAIN* OTHER THAN BLDGGRNDS</td> <td>398,355</td> <td>398,355</td> </tr> <tr> <td>36 EQUIPMENT COSTS</td> <td>50,000</td> <td>50,000</td> </tr> <tr> <td>40 MAINTENANCE</td> <td>12,635</td> <td>12,635</td> </tr> <tr> <td>41 ADULT FUND SET ASIDE</td> <td>120,000</td> <td>120,000</td> </tr> <tr> <td>42 TRANSFER TO COLA</td> <td>100,000</td> <td>100,000</td> </tr> <tr> <td>48 CONTRACTUAL MAINT-BLDGGRND</td> <td>44,816</td> <td>44,816</td> </tr> <tr> <td>49 TRANS TO OTHER STATE AGYS</td> <td>600,000</td> <td>600,000</td> </tr> <tr> <td>50 CONTRACTUAL SERVICE - OTHER</td> <td>1,879,732</td> <td>1,986,340</td> </tr> <tr> <td>60 BENEFITS</td> <td>125,000</td> <td>125,000</td> </tr> <tr> <td>70 IN-STATE TRAVEL</td> <td>60,000</td> <td>60,000</td> </tr> <tr> <td>80 OUT-OF-STATE TRAVEL</td> <td></td> <td></td> </tr> <tr> <td>TOTAL</td> <td>13,737,972</td> <td>13,966,579</td> </tr> </table>						10 PERSONAL SERVICES - PERMANENT	7,758,018	7,870,699	11 SALARY COMMISSIONER	58,134	58,134	12 SALARY OF THE GENERAL COUNSEL	48,495	48,495	13 SALARIES OF COUNSEL	89,506	89,506	14 HOLIDAY PAY	12,000	12,000	15 TRAVEL & PER DIEM	1,324,639	1,324,639	20 RENT & FEES	1,575,000	1,575,000	22 RENT & FEES TO NON-STATE	150,000	150,000	23 HEAT, ELECTRICITY & WATER	350,000	350,000	34 MAIN* OTHER THAN BLDGGRNDS	398,355	398,355	36 EQUIPMENT COSTS	50,000	50,000	40 MAINTENANCE	12,635	12,635	41 ADULT FUND SET ASIDE	120,000	120,000	42 TRANSFER TO COLA	100,000	100,000	48 CONTRACTUAL MAINT-BLDGGRND	44,816	44,816	49 TRANS TO OTHER STATE AGYS	600,000	600,000	50 CONTRACTUAL SERVICE - OTHER	1,879,732	1,986,340	60 BENEFITS	125,000	125,000	70 IN-STATE TRAVEL	60,000	60,000	80 OUT-OF-STATE TRAVEL			TOTAL	13,737,972	13,966,579
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TOTAL		13,737,972		13,966,579																																																																

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02 ADMIN OF JUSTICE & PUBLIC PRIN
17 DEPT OF EMPLOYMENT SECURITY

(CONT)
(CONT)
(CONT)

FEDERAL FUNDS
OTHER FUNDS
TOTAL

12 635 026
13 102 944
13 73 972

12 863 635
13 102 944
13 966 579

02 ADMIN OF JUSTICE & PUBLIC PRIN
16 JUDICIAL COUNCIL

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF EXECUTIVE DIRECTOR
20 CURRENT EXPENSES
30 EQUIPMENT
40 EQUIPMENT SERVICES - OTHER
60 BENEFITS
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL

20 299
21 161
11 961
11 700
3 987
13 293
3 199
3 98

24 374
21 161
11 961
11 700
3 987
13 089
3 189
3 98

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
JUDICIAL COUNCIL
GENERAL FUND
TOTAL

89 684
89 684
89 684

91 457
91 457
91 457

PERMANENT EMPLOYEES AS DESIGNATED BY THE
JUDICIAL COUNCIL ARE ELIGIBLE FOR
FRINGE BENEFITS AND PENSION PLAN
EMPLOYEES INCLUDING MEMBERSHIP IN THE RETIRE-
MENT SYSTEM MEDICAL, DENTAL AND LIFE
INSURANCE COVERAGE ANNUAL SICK AND BONUS
GRANTS AND ANY OTHER BENEFITS THAT MAY BE
GRANTED

02 ADMIN OF JUSTICE & PUBLIC PRIN
19 HUMAN RIGHTS COMMISSION
01 ENFORCEMENT

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 BENEFITS
23 HEAT, ELECTRICITY & WATER

14 071
15 157
2 750
2 112

15 591
16 157
2 750
2 112

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02 ADMIN OF JUSTICE & PUBLIC PRIN					
19 HUMAN RIGHTS COMMISSION					
(CONT.)					
01 ENFORCEMENT					
(CONT.)					
E D					
40 INDIRECT COSTS	2,984		2,984		2,984
41 AUDIT FUND SET ASIDE	49		49		49
50 BENEFITS	40,036		40,036		40,036
70 IN-STATE TRAVEL	1,455		1,455		1,455
80 OUT-OF-STATE TRAVEL	1,455		1,455		1,455
TOTAL		271,069		271,069	274,695
ESTIMATED SOURCE OF FUNDS FOR					
ENFORCEMENT FUNDS					
FEDERAL FUNDS		48,474		48,474	48,474
GENERAL FUND		226,595		226,595	226,221
TOTAL		271,069		271,069	274,695
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
HUMAN RIGHTS COMMISSION					
FEDERAL FUNDS		48,474		48,474	48,474
GENERAL FUND		226,595		226,595	226,221
TOTAL		271,069		271,069	274,695
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ADMIN OF JUSTICE & PUBLIC PRIN					
FEDERAL FUNDS		15,726,325		15,726,325	15,929,915
GENERAL FUND		87,074,258		87,074,258	90,635,142
OTHER FUNDS		48,998,847		48,998,847	49,220,761
TOTAL		151,799,430		151,799,430	155,785,818
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ADMIN OF JUSTICE & PUBLIC PRIN					
FEDERAL FUNDS		15,726,325		15,726,325	15,929,915
GENERAL FUND		87,074,258		87,074,258	90,635,142
OTHER FUNDS		48,998,847		48,998,847	49,220,761
TOTAL		151,799,430		151,799,430	155,785,818
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
03 RESOURCE PROTECT'N & DEVELOP'T					
01 FISH AND GAME DEPARTMENT					
02 ADMINISTRATION OF FISH AND GAME					
03 FISH & GAME COMMISSION					
TOTAL					
20 CURRENT EXPENSES					
70 IN-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
FISH & GAME COMMISSION					
FISH AND GAME FUNDS					
TOTAL					
526					
1,477					
2,003					
2,003					
2,003					
2,003					

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03 RESOURCE PROTECT N & DEVELOP T				
01 FISH AND GAME DEPARTMENT				
01 ADMINISTRATION AND SUPPORT				
02 OFFICE OF DIRECTOR				
10 PERSONAL SERVICES - PERMANENT				
11 SALARY OF DIRECTOR		140,486		140,486
20 EQUIPMENT		40,000		40,000
30 FURNITURE SET ASIDE		3,000		40
40 BENEFITS		42,645		44,993
50 IN-STATE TRAVEL		1,000		1,000
60 OUT-OF-STATE TRAVEL		5,000		6,000
TOTAL		237,097		239,504
ESTIMATED SOURCE OF FUNDS FOR				
01 FISH AND GAME DEPARTMENT		40,000		40,000
01 ADMINISTRATION AND SUPPORT		197,097		199,504
01 BUSINESS MANAGEMENT		237,097		239,504
03 RESOURCE PROTECT N & DEVELOP T				
01 FISH AND GAME DEPARTMENT				
01 ADMINISTRATION AND SUPPORT				
01 BUSINESS MANAGEMENT				
10 PERSONAL SERVICES - PERMANENT				
20 CURRENT EXPENSES		240,634		245,646
30 TRANSFERS TO INFO SERVICES		150,788		150,788
40 INDIRECT COSTS		13,000		13,000
50 PERSONAL SERVICES - OTHER		127,500		127,500
60 BENEFITS		108,804		108,804
70 IN-STATE TRAVEL		52,561		52,561
80 OUT-OF-STATE TRAVEL		58,915		62,295
90 ANNUAL DUES GOVERNMENTAL		6,000		6,000
96 HOSPITALIZATION GRP LIFE INS		207,766		249,319
* THE FUNDS IN THIS APPROPRIATION MAY BE USED TO PAY FOR AN ALTERNATE LICENSING SYSTEM WITH PRIOR APPROVAL OF THE FISCAL COMMITTEE AND THE COMMISSIONER OF ADMINISTRATIVE SERVICES				
TOTAL		956,496		908,433
ESTIMATED SOURCE OF FUNDS FOR				
BUSINESS MANAGEMENT		956,496		908,433
FISH AND GAME FUNDS		956,496		908,433
TOTAL				

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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03 RESOURCE PROTECT'N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 01 ADMINISTRATION AND SUPPORT
 01 INFORMATION & EDUCATION
 01 INFORMATION & EDUCATION ADMIN
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 CONTRACTUAL MAINT. & EDUCATION
 92 PUBLICATIONS
 345,703
 350,571
 2,900
 20,000
 20,000
 327,571
 350,571

D

03 RESOURCE PROTECT'N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 01 ADMINISTRATION AND SUPPORT
 01 INFORMATION & EDUCATION
 02 AQUATIC RESOURCES EDUCATION
 20 CURRENT EXPENSES
 30 EQUIPMENT
 41 ADULT FUNDS SET ASIDE
 46 CONTRACTUALS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 79,999
 79,999
 79,999
 79,999

D

03 RESOURCE PROTECT'N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 01 ADMINISTRATION AND SUPPORT
 05 MAINTENANCE & CONSTRUCTION
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 46 CONTRACTUAL MAINT.-BLOGGRND
 130,592
 24,975
 10,110
 56,000

G

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02 RESOURCE PROTECT N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 01 ADMINISTRATION AND SUPPORT
 05 MAINTENANCE & CONSTRUCTION

50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 MECHANICS TOOL ALLOWANCE

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 MAINTENANCE & CONSTRUCTION
 FISH AND GAME FUNDS
 TOTAL

03 RESOURCE PROTECT N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 01 ADMINISTRATION AND SUPPORT
 06 HUNTER SAFETY PROGRAM

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 41 AUDIT FUND SET ASIDE
 46 CONSULTANTS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 HUNTER SAFETY PROGRAM
 06 FEDERAL FUNDS
 TOTAL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION AND SUPPORT
 FEDERAL FUNDS
 FISH AND GAME FUNDS
 OTHER FUNDS
 TOTAL

9,958
 12,104
 250
 480
 400

264,096
 264,096
 264,096

265,402
 265,402
 265,402

65,386
 33,530
 14,400
 14,500
 14,150
 14,150
 15,000
 15,980
 15,350
 1,261
 3,395

147,159
 147,159
 147,159

149,427
 149,427
 149,427

2,032,553
 2,032,553
 2,032,553

1,995,339
 269,426
 1,703,013
 32,900
 1,995,339

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03 RESOURCE PROTECT'N & DEVELOP T
00 FISH AND GAME DEPARTMENT
02 GAME RESOURCES DIVISION
01 GAME RESOURCES DAMAGE

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
30 EQUIPMENT
60 BENEFITS
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
GAME RESOURCES DAMAGE
FUND AND GAME FUNDS
TOTAL

22,351
13,881
3,300
5,141
102
190

44,965 46,395

44,965 46,395
44,965 46,395

03 RESOURCE PROTECT'N & DEVELOP T
01 FISH AND GAME DEPARTMENT
02 MANAGEMENT & RESEARCH
01 GAME MANAGEMENT

10 PERSONAL SERVICES - PERMANENT
20 PERSONAL SERVICES
29 TRANSFERS TO INFO SERVICES
30 EQUIPMENT
41 AUDIT FUND SET ASIDE
50 PERSONAL SERVICES - OTHER
60 PERSONAL SERVICES
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
90 COOPERATIVE WATERFOWL BANDING
97 UNH & DARTHOOTH PROJECTS
99 PRESENTS

125,257
37,566
2,936
6,222
2,460
29,000
4,200
3,937
3,000
3,000
68,000

128,118
37,566
2,936
9,100
2,500
30,939
4,200
3,937
3,000
9,000
68,000

** POSITION 81895S BIOLOGIST III, IS NOT FUNDED AND SHALL REMAIN VACANT FOR THE BIENNium.

** REVENUE FROM THE SALE OF PHEASANT STAMPS IN THIS FUND SHALL BE CARRIED FORWARD TO THE SUBSEQUENT YEAR AND NOT BE CARRIED FORWARD TO THE SUBSEQUENT YEAR. ANY SHORTFALL IN THIS ESTIMATED REVENUE SHALL BE A CHARGE AGAINST THE EXISTING PHEASANT STAMP FUND. THE BALANCE OF THE FUND SHALL BE CARRIED FORWARD TO THE SUBSEQUENT YEAR.

TOTAL

292,039

299,719

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03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
02 GAME RESOURCES DIVISION					
03 MANAGEMENT & RESEARCH					
01 GAME MANAGEMENT					
ESTIMATED SOURCE OF FUNDS FOR					
GAME MANAGEMENT					
00 FEDERAL FUNDS			92,562		92,562
01 AGENC INCOME			66,000		66,000
FISH AND GAME FUNDS			131,477		131,477
TOTAL			292,039		292,039
03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
02 GAME RESOURCES DIVISION					
02 MANAGEMENT & RESEARCH					
02 GAME DONATIONS					
41 AUDIT FUND SET ASIDE	0	21		21	
90 WATERFOWL MGMT		1,999		1,999	
91 TURKEY MGMT		999		999	
92 RAPTOR MGMT		500		500	
93 BIRD BANDING STUDY		23,500		23,500	
94 HOUSE MGMT		393		393	
TOTAL			28,200		28,200
ESTIMATED SOURCE OF FUNDS FOR					
WILDLIFE MGMT					
00 FEDERAL FUNDS	1		21,000		21,000
05 PRIVATE LOCAL FUNDS			7,200		7,200
TOTAL			28,200		28,200
03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
02 GAME RESOURCES DIVISION					
02 MANAGEMENT & RESEARCH					
03 WILDLIFE MGMT EDUCATION					
41 AUDIT FUND SET ASIDE	0	15		15	
94 WILDLIFE MGMT		16,885		16,885	
TOTAL			16,900		16,900
ESTIMATED SOURCE OF FUNDS FOR					
WILDLIFE MGMT EDUCATION					
00 FEDERAL FUNDS	1		13,520		13,520
05 PRIVATE LOCAL FUNDS			3,380		3,380
TOTAL			16,900		16,900

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03 RESOURCE PROTECT'N & DEVELOP'T					
01 FISH AND GAME DEPARTMENT					
02 GAME RESOURCES DIVISION					
04 MANAGEMENT & RESEARCH					
04 ENDANGERED SPECIES					
D					
41 AUDIT FUND SET ASIDE	16	14,349	16	14,349	
90 ENDANGERED SPECIES STUDY					
TOTAL		14,365		14,365	
ESTIMATED SOURCE OF FUNDS FOR					
ENDANGERED SPECIES					
00 FEDERAL FUNDS		14,365		14,365	
TOTAL		14,365		14,365	
03 RESOURCE PROTECT'N & DEVELOP'T					
01 FISH AND GAME DEPARTMENT					
02 GAME RESOURCES DIVISION					
03 WATERFOWL CONSERVATION					
D					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
41 AUDIT FUND SET ASIDE	16	14,349	16	14,349	
42 PERSONAL SERVICES					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 LAND ACQUISITIONS					
TOTAL		204,184		204,429	
ESTIMATED SOURCE OF FUNDS FOR					
WATERFOWL CONSERVATION					
00 FEDERAL FUNDS		102,092		102,215	
05 PRIVATE LOCAL FUNDS		102,092		102,214	
TOTAL		204,184		204,429	
610,008					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
FEDERAL FUNDS DIVISION					
FEDERAL FUNDS					
FISH AND GAME FUNDS					
OTHER FUNDS					
TOTAL		600,653		610,008	
244,970					
184,244					
180,794					
610,008					

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 03 RESOURCE PROTECT'N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 03 FISH RESOURCES DIVISION
 01 INLAND FISHERIES
 01 INLAND FISHERIES ADMIN
 10 PERSONAL SERVICES - PERMANENT
 18 PERMANENT EMPLOYEE OVERTIME
 19 HOLIDAY PAY
 20 CURRENT EXPENSES
 53 HEAT/ELECTRICITY & WATER
 54 TRAVEL
 41 AUDIT FUND SET ASIDE
 46 CONSULTANTS
 47 OWN FORCES MAINT-BLDG&GRNDS
 50 PERSONAL SERVICES - OTHER
 55 INLAND FISHERIES
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 AERIAL STOCKING CONTRACT
 95 ANADROMOUS HILFORD
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 INLAND FISHERIES ADMIN
 00 FEDERAL FUNDS
 05 PRIVATE LOCAL FUNDS
 TOTAL
 03 RESOURCE PROTECT'N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 03 FISH RESOURCES DIVISION
 01 INLAND FISHERIES
 02 FISHERIES DONATIONS
 41 AUDIT FUND SET ASIDE
 46 CONSULTANTS
 91 HERCULTH RESEARCH
 92 TROUT/SALMON MGMT
 93 ANADROMOUS FISH RESEARCH
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FISHERIES DONATIONS
 00 FEDERAL FUNDS
 05 PRIVATE LOCAL FUNDS
 TOTAL
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FISH AND GAME RESOURCES DIVISION
 00 FEDERAL FUNDS
 05 PRIVATE LOCAL FUNDS
 TOTAL

791,151
 82,982
 4,425
 316,080
 103,821
 30,000
 27,750
 120,386
 120,000
 10,000
 15,000
 213,560
 4,900
 3,900
 3,200
 6,800
 1,691,790
 1,720,848
 334,213
 1,383,577
 1,691,790
 59
 40,000
 12,000
 12,000
 11,999
 76,058
 57,044
 19,014
 76,058
 1,767,848
 1,796,906
 391,257
 1,385,577

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
HB 0200	PAGE 153 05/04/89				
03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
03 FISH RESOURCES DIVISION					
(CONT)					
(CONT)					
(CONT)					
OTHER FUNDS					
TOTAL		19,014	19,014	1,796,906	1,796,906
03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
04 REGIONAL OFFICES					
01 REGION I LANCASTER					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		111,790	111,790	113,746	113,746
23 UTILITIES		14,500	14,500	14,500	14,500
41 AUDIT FUND SET ASIDE		4,000	4,000	4,000	4,000
60 BENEFITS		25,712	25,712	27,299	27,299
* THIS REGIONAL OFFICE SHALL BE THE OFFICIAL HEADQUARTERS FOR THE FOLLOWING PERMANENT POSITIONS TRANSFERRED FROM THE CONCORD OFFICE POSITIONS: #13893, #13923, #18314, #13909, #13917.					
TOTAL		156,083	156,083	159,628	159,628
ESTIMATED SOURCE OF FUNDS FOR					
REGION I LANCASTER					
00 FEDERAL FUNDS					
FISH AND GAME FUNDS					
TOTAL		81,007	81,007	82,847	82,847
		76,076	76,076	76,781	76,781
		156,083	156,083	159,628	159,628
03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
04 REGIONAL OFFICES					
02 REGION II NEW HAMPTON					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY		182,203	182,203	182,996	182,996
20 CURRENT EXPENSES		13,138	13,138	2,018	2,018
23 UTILITIES		27,500	27,500	27,500	27,500
41 AUDIT FUND SET ASIDE		12,500	12,500	12,500	12,500
60 BENEFITS		138	138	140	140
TOTAL		245,479	245,479	245,654	245,654
* THIS REGIONAL OFFICE SHALL BE THE OFFICIAL HEADQUARTERS FOR THE FOLLOWING PERMANENT POSITIONS TRANSFERRED FROM THE CONCORD OFFICE POSITIONS: #13893, #13923, #18314, #13909, #13917.					

[illegible]

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03 RESOURCE PROTECT N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 04 REGIONAL OFFICES
 04 REGION IV

10 PERSONAL SERVICES - PERMANENT *
 20 CURRENT EXPENSES
 23 UTILITIES
 41 AUDIT FUND SET ASIDE 0
 60 BENEFITS

51,217
 6,900
 2,259
 2,128
 12,292

* THIS REGIONAL OFFICE SHALL BE THE OFFICIAL
 THIS REGIONAL OFFICE SHALL BE THE OFFICIAL
 POSITIONS TRANSFERRED FROM THE CONCORD OFFICE
 POSITIONS. #30459, #13931

TOTAL
 REGION IV
 00 FEDERAL FUNDS
 FISH AND GAME FUNDS
 TOTAL

72,203
 37,474
 74,203
 72,716

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 REGIONAL OFFICES
 FISH AND GAME FUNDS
 OTHER FUNDS
 TOTAL

916,933
 442,905
 422,458
 51,470
 916,933
 930,552
 450,634
 429,726
 50,162
 930,552

03 RESOURCE PROTECT N & DEVELOP T
 01 FISH AND GAME DEPARTMENT
 05 LAW ENFORCEMENT DIVISION
 01 LAW ENFORCEMENT ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 19 HOLIDAY PAY
 20 CURRENT EXPENSES
 23 UTILITIES
 41 AUDIT FUND SET ASIDE
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

119,778
 2,000
 2,500
 2,077
 29,955
 1,400
 525

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 LAW ENFORCEMENT ADMINISTRATION
 FISH AND GAME FUNDS

156,448
 160,605
 160,605

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03 RESOURCE PROTECT'N & DEVELOP' T 01 FISH AND GAME DEPARTMENT 05 LAW ENFORCEMENT DIVISION 01 LAW ENFORCEMENT ADMINISTRATION					
		(CONT.)			
		(CONT.)			
		(CONT.)			
TOTAL		156,448		160,605	
03 RESOURCE PROTECT'N & DEVELOP' T 01 FISH AND GAME DEPARTMENT 05 LAW ENFORCEMENT DIVISION 01 LAW ENFORCEMENT DISTRICTS 1-5					
10 PERSONAL SERVICES - PERMANENT		1,144,118		1,158,717	
18 PERMANENT EMPLOYEE OVERTIME		26,555		26,555	
19 PERMANENT EMPLOYEE PAY		53,915		53,915	
20 CURRENT EXPENSES		105,079		105,079	
30 EQUIPMENT		149,148		149,148	
60 BENEFITS		281,558		287,405	
70 IN-STATE TRAVEL		85,000		85,000	
80 OUT-OF-STATE TRAVEL		2,525		2,525	
TOTAL					
* POSITION NUMBERS #13804, #13811, #3812 AND #3824 ARE NOT FUNDED IN THIS APPROPRIATION AND SHALL REMAIN VACANT FOR THE BIENNium					
TOTAL		1,847,396		1,878,344	
ESTIMATED SOURCE OF FUNDS FOR					
LAW ENFORCEMENT DISTRICTS 1-5		240,061		240,061	
09 AGENCY INCOME		1,607,335		1,638,283	
FISH AND GAME FUNDS		1,847,396		1,878,344	
TOTAL					
03 RESOURCE PROTECT'N & DEVELOP' T 01 FISH AND GAME DEPARTMENT 05 LAW ENFORCEMENT DIVISION 02 LAW ENFORCEMENT DISTRICTS 90 SEARCH & RESCUE					
90 SEARCH & RESCUE/SPECIAL ACTIVI		100,000		100,000	
TOTAL					
THE DIRECTOR SHALL SUBMIT QUARTERLY REPORTS TO THE FISCAL COMMITTEE FOR ALL SEARCH AND RESCUE EXPENDITURES DURING THE BIENNium					
TOTAL		100,000		100,000	
ESTIMATED SOURCE OF FUNDS FOR SEARCH & RESCUE					
09 AGENCY INCOME		100,000		100,000	
TOTAL		100,000		100,000	

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03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
05 LAW ENFORCEMENT DIVISION					
02 LAW ENFORCEMENT DISTRICTS					
03 LAW ENFORCEMENT DISTRICT 6					
10 PERSONAL SERVICES - PERMANENT		165,062			169,324
18 PERMANENT EMPLOYEE OVERTIME					2,400
19 HOLIDAY PAY					12,600
20 CURRENT EXPENSES					12,600
21 EQUIPMENT					11,400
22 TRAVEL					41,318
23 IN-STATE TRAVEL					44,238
24					5,000
TOTAL		250,894			257,880
ESTIMATED SOURCE OF FUNDS FOR					
LAW ENFORCEMENT DISTRICT 6					
FISH AND GAME FUNDS		250,894			257,880
TOTAL		250,894			257,880
03 RESOURCE PROTECT N & DEVELOP T					
01 FISH AND GAME DEPARTMENT					
05 LAW ENFORCEMENT DIVISION					
03 OFFICIAL REGISTRATION VEHICLE					
01 OHV ENFORCEMENT					
90 TRANS TO LAW ENFORCEMENT 1-5		240,061			240,061
91 OHV PAYMENT - ORED		355,500			355,500
92 SPECIAL OHV REGISTRATION FEE		129,264			129,264
93 TRANS TO OHV ENFORCEMENT		56,175			56,175
94 OHV REG. PROGS OP CONTRACT		50,000			50,000
95 TRAIL GROOMING FUND					
TOTAL		990,000			990,000
ESTIMATED SOURCE OF FUNDS FOR					
OHV ENFORCEMENT					
OHV AGENCY INCOME		990,000			990,000
TOTAL		990,000			990,000

OHV REGISTRATION FEES IN EXCESS OF \$790,000 AND SPECIAL OHV REGISTRATION FEES IN EXCESS OF \$200,000 IN EACH YEAR OF THE BIENNIAL MAY BE EXPENDED WITH PRIOR APPROVAL OF THE FISCAL COMMITTEE AND GOVERNOR AND COUNCIL. THE EXCESS REVENUE IS HEREBY APPROPRIATED TO THE FISH AND GAME DEPARTMENT AND THE DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT IN THE SAME PROPORTION AS APPROPRIATED WITHIN.

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03 RESOURCE PROTECT N & DEVELOP T					
02 INDUSTRIAL DEVELOPMENT AUTHORI					
(CONT 1)					
(CONT 1)					
46 CONSULTANTS		28,000		28,000	
50 PERSONAL SERVICES - OTHER		25,596		25,596	
70 IN-STATE TRAVEL		21,717		21,717	
80 OUT-OF-STATE TRAVEL		4,939		4,939	
TOTAL		1,200		1,200	
ESTIMATED SOURCE OF FUNDS FOR					
INDUSTRIAL DEVELOPMENT AUTHORI		181,294		188,267	
09 AGENCY INCOME					
TOTAL		181,294		188,267	
03 RESOURCE PROTECT N & DEVELOP T					
02 RESOURCES & ECONOMIC DEVELOP T					
01 ADMINISTRATION AND SUPPORT					
01 OFFICE OF COMMISSIONER					
10 PERSONAL SERVICES - PERMANENT		391,490		395,980	
11 SALARY OF COMMISSIONER		64,406		64,406	
12 ASSISTANT TO THE COMMISSIONER		25,714		27,724	
20 CURRENT EXPENSES		175,935		187,798	
25 HEAT, ELECTRICITY & WATER		11,214		11,214	
30 EQUIPMENT SERVICES - OTHER		8,245		9,000	
50 PERSONAL SERVICES - OTHER		117,104		117,704	
60 BENEFITS		2,450		2,450	
80 OUT-OF-STATE TRAVEL		1,800		1,800	
TOTAL		830,712		855,463	
ESTIMATED SOURCE OF FUNDS FOR					
OFFICE OF COMMISSIONER		830,712		855,463	
GENERAL FUND					
TOTAL		830,712		855,463	

AUTHORITY IS HEREBY GIVEN TO UTILIZE SO MUCH AS MAY BE NECESSARY OF ANY APPROPRIATION ACCUMULATED IN THE FISCAL YEAR 1990 WITHIN THE AGENCY NOT OTHERWISE APPROPRIATED WITH PRIOR APPROVAL OF THE FISCAL COMMITTEE AND THE GOVERNOR AND COUNCIL.

HB 0200 PAGE 161 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
03 RESOURCE PROTECT'N & DEVELOP'T					
03 RESOURCES & ECONOMIC DEVELOP'T					
01 ADMINISTRATION AND SUPPORT					
02 DESIGN DEVELOPMENT & MAINTENANCE					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		310,139		316,086	
23 HEAT, ELECTRICITY & WATER	D	4,252		15,086	
24 EQUIPMENT		16,557		16,557	
47 OWN FORCES MAINT-BLDG&GRNDS	G	17,017		14,746	
48 CONTRACTUAL MAINT-BLDG&GRNDS		260,735		261,188	
50 PERSONAL SERVICES - OTHER	G	215,106		190,000	
50 BENEFITS		74,187		77,784	
70 IN-STATE TRAVEL		3,500		3,500	
TOTAL		925,572		820,084	
ESTIMATED SOURCE OF FUNDS FOR					
DESIGN DEVELOPMENT & MAINTENANCE					
GENERAL FUND					
TOTAL		925,572		820,084	
03 RESOURCE PROTECT'N & DEVELOP'T					
03 RESOURCES & ECONOMIC DEVELOP'T					
01 ADMINISTRATION AND SUPPORT					
03 MARINE SERVICES					
10 PERSONAL SERVICES - PERMANENT		34,180		34,180	
20 CURRENT EXPENSES		6,063		6,063	
23 HEAT, ELECTRICITY & WATER	D	7,344		7,344	
30 EQUIPMENT		2,910		2,910	
47 OWN FORCES MAINT-BLDG&GRNDS	G	23,081		22,081	
50 PERSONAL SERVICES - OTHER		9,550		9,892	
50 BENEFITS		509		509	
70 IN-STATE TRAVEL					
TOTAL		90,785		91,127	
ESTIMATED SOURCE OF FUNDS FOR					
MARINE SERVICES					
06 AGENCY INCOME	I	61,285		61,527	
08 AGENCY INCOME	I	11,500		11,500	
09 AGENCY INCOME	I	18,000		18,000	
TOTAL		90,785		91,127	

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03 RESOURCE PROTECT N & DEVELOP T					
01 RESOURCES & ECONOMIC DEVELOP T					
01 ADMINISTRATION AND SUPPORT					
04 SENIOR COMMUNITY SERVICE EMPLO					
20 CURRENT EXPENSES					
40 INDIRECT COSTS	1,743			1,743	
41 ADULT FUND SET ASIDE	1,684			1,684	
50 PERSONAL SERVICES - OTHER	36,277			36,277	
60 BENEFITS	2,775			2,775	
70 IN-STATE TRAVEL	100			100	
TOTAL	42,628			42,628	
ESTIMATED SOURCE OF FUNDS FOR					
SENIOR COMMUNITY SERVICE EMPLO	42,628			42,628	
04 FEDERAL FUNDS	42,628			42,628	
TOTAL	42,628			42,628	
03 RESOURCE PROTECT N & DEVELOP T					
01 RESOURCES & ECONOMIC DEVELOP T					
01 ADMINISTRATION AND SUPPORT					
05 NATURAL HERITAGE INVENTORY					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	44,530			44,530	
30 EQUIPMENT	6,105			6,105	
50 PERSONAL SERVICES - OTHER	2,000			2,000	
60 BENEFITS	3,749			3,749	
70 IN-STATE TRAVEL	10,781			10,781	
80 OUT-OF-STATE TRAVEL	3,000			3,000	
TOTAL	70,450			70,450	
ESTIMATED SOURCE OF FUNDS FOR					
NATURAL HERITAGE INVENTORY	70,450			70,450	
05 PRIVATE LOCAL FUNDS	70,450			70,450	
TOTAL	70,450			70,450	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR	1,960,147			1,979,752	
ADMINISTRATION AND SUPPORT					
GENERAL FUNDS	42,628			42,628	
GENERAL FUND	1,756,284			1,675,547	
OTHER FUNDS	161,235			161,577	
TOTAL	1,960,147			1,879,752	

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03 RESOURCE PROTECT N & DEVELOP T

03 RESOURCES & ECONOMIC DEVELOP T

02 ECONOMIC DEVELOPMENT

01 ADMINISTRATION AND SUPPORT

10 PERSONAL SERVICES - PERMANENT

10 SALARY OF DIRECTOR

20 CURRENT EXPENSES

22 RENTS & LEASES TO NON-STATE

30 EQUIPMENT

60 BENEFITS

70 IN-STATE TRAVEL

80 OUT-OF-STATE TRAVEL

91 PROFESSIONAL BUS ASSISTANCE

92 CONTRACT/SMALL BUSINESS DEV

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

ADMINISTRATION AND SUPPORT

GENERAL FUND

TOTAL

03 RESOURCE PROTECT N & DEVELOP T

03 RESOURCES & ECONOMIC DEVELOP T

02 ECONOMIC DEVELOPMENT

02 INDUSTRIAL DEVELOPMENT

10 PERSONAL SERVICES - PERMANENT

20 CURRENT EXPENSES

22 RENTS & LEASES TO NON-STATE

30 EQUIPMENT

60 BENEFITS

70 IN-STATE TRAVEL

80 OUT-OF-STATE TRAVEL

90 PRINTING, BINDING AND ADV

91 FOREIGN BUSINESS DEVELOPMENT

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

INDUSTRIAL DEVELOPMENT

GENERAL FUND

TOTAL

72,808
48,095
67,584
5,000
5,000
7,973
29,705
1,750
4,000
5,000
97,000

338,248

339,859

338,248

339,859

286,046
7,999
2,400
11,800
68,651
10,040
17,000
32,469
10,000

440,631

446,405

440,631

446,405

440,631

446,405

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03 RESOURCE PROTECT N & DEVELOP T
03 RESOURCE PROTECT N & DEVELOP T
03 RESOURCE PROTECT N & DEVELOP T
03 VACATION TRAVEL PROMOTION

10 PERSONAL SERVICES - PERMANENT
10 PERSONAL SERVICES - OTHER
50 PERSONAL SERVICES - OTHER
60 BENEFITS
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
90 PRINTING & REPRODUCTION
91 REGIONAL ASSOCIATION
93 JOINT PROMOTIONAL ADVERTISING

98,657
9,200
31,907
26,409
4,500
4,500
1,153,190
3,000
673,250

AN AMOUNT UP TO \$30,000 IN 1990 MAY BE EXPENDED FOR RESEARCH PROGRAMS IN ORDER TO MEASURE THE EFFECTIVENESS OF DEPARTMENTAL ADVERTISING PROGRAMS. THE AMOUNT OF THE ADVERTISING APPROPRIATION MAY BE TRANSFERRED TO PRINTING AND ADVERTISING WITH THE APPROVAL OF THE FISCAL COMMITTEE AND GOVERNOR AND COUNCIL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
VACATION TRAVEL PROMOTION
GENERAL FUND
TOTAL

2,077,084
2,077,084
2,077,084

2,789,587

2,855,933

2,855,933
2,855,933
2,855,933

03 RESOURCE PROTECT N & DEVELOP T
03 RESOURCE PROTECT N & DEVELOP T
03 FORESTRY AND LAND RESOURCES
01 ADMINISTRATION & SUPPORT

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF DIRECTOR
20 CURRENT EXPENSES
23 HEAT, ELECTRICITY & WATER
24 MAINT, OTHER THAN BLDGS&GRDS
30 EQUIPMENT
45 PERSONNEL SVCS-NON BENEFIT

40,941
48,695
29,708
32,485
3,155
3,155
50,600
48,600
153,630

D

2,789,587

2,855,933

2,855,933
2,855,933
2,855,933

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03 RESOURCE PROTECT'N & DEVELOP'T 03 PERSONNEL SERVICES - OTHER 03 FORESTRY AND LAND RESOURCES 01 ADMINISTRATION & SUPPORT			(CONT.) (CONT.) (CONT.) (CONT.)			
01 ADMINISTRATION & SUPPORT						
47 OWN FORCES MAINT-BLOGS/GRNOS			6,790		6,790	
50 PERSONAL SERVICES - OTHER			20,631		200	
60 BENEFITS			1,166		1,706	
70 IN-STATE TRAVEL			1,413		1,166	
80 OUT-OF-STATE TRAVEL					1,413	
TOTAL			361,349		362,381	
ESTIMATED SOURCE OF FUNDS FOR						
ADMINISTRATION & SUPPORT						
GENERAL FUND			361,349		362,381	
TOTAL			361,349		362,381	
03 RESOURCE PROTECT'N & DEVELOP'T 03 RESOURCES & ECONOMIC DEVELOP'T 03 FORESTRY AND LAND RESOURCES 02 FOREST PROTECTION 01 FIRE CONTROL						
10 PERSONAL SERVICES - PERMANENT			368,406		372,243	
20 CURRENT EXPENSES			46,000		46,000	
40 UTILITIES & WATER			3,538		3,538	
41 INDIRECT COSTS			3,480		3,480	
41 AUDIT FUND SET ASIDE			60		60	
45 PERSONNEL SVCS-NON BENEFIT			7,000		7,000	
50 PERSONAL SERVICES - OTHER			92,938		92,938	
60 BENEFITS			4,500		4,500	
70 IN-STATE TRAVEL			1,500		1,500	
80 OUT-OF-STATE TRAVEL			9,332		9,332	
97 PROFESSIONAL FEES & OTHER SV						
TOTAL			642,447		650,889	
ESTIMATED SOURCE OF FUNDS FOR						
FIRE CONTROL						
00 FEDERAL FUNDS			60,000		60,000	
GENERAL FUND			582,447		590,889	
TOTAL			642,447		650,889	
03 RESOURCE PROTECT'N & DEVELOP'T 03 RESOURCES & ECONOMIC DEVELOP'T 03 FORESTRY AND LAND RESOURCES 02 FOREST PROTECTION 02 INSECT & DISEASE						
10 PERSONAL SERVICES - PERMANENT			32,268		32,468	
20 CURRENT EXPENSES			2,528		2,528	
40 UTILITIES & WATER			22,506		22,506	
50 PERSONAL SERVICES - OTHER			9,144		9,514	
60 BENEFITS						

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03 RESOURCE PROTECT N & DEVELOP T							
03 RESOURCES & ECONOMIC DEVELOP T							
03 FORESTRY AND LAND RESOURCES							
02 FOREST PROTECTION							
02 INSECT & DISEASE							
70 IN-STATE TRAVEL					1,200		1,200
TOTAL					67,685		68,255
ESTIMATED SOURCE OF FUNDS FOR							
IN-STATE TRAVEL					28,000		28,000
FEDERAL FUNDS					39,685		40,255
GENERAL FUND					67,685		68,255
TOTAL							
03 RESOURCE PROTECT N & DEVELOP T							
03 RESOURCES & ECONOMIC DEVELOP T							
03 FORESTRY AND LAND RESOURCES							
03 FOREST PLANNING							
01 PLANNING & INFORMATION							
10 PERSONAL SERVICES - PERMANENT					49,060		49,637
60 BENEFITS					11,284		11,913
70 IN-STATE TRAVEL					118		118
TOTAL					60,462		61,668
ESTIMATED SOURCE OF FUNDS FOR							
PLANNING & INFORMATION					9,314		9,593
09 AGENCY INCOME					51,148		52,075
GENERAL FUND					60,462		61,668
TOTAL							
03 RESOURCE PROTECT N & DEVELOP T							
03 RESOURCES & ECONOMIC DEVELOP T							
03 FORESTRY AND LAND RESOURCES							
03 FOREST PLANNING							
02 FOREST RESOURCE PLANNING							
10 PERSONAL SERVICES - PERMANENT					25,609		25,609
20 CURRENT EXPENSES					1,285		1,495
60 BENEFITS					5,880		6,146
TOTAL					32,994		33,250
ESTIMATED SOURCE OF FUNDS FOR							
FOREST RESOURCE PLANNING					32,994		33,250
GENERAL FUND					32,994		33,250
TOTAL							

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03 RESOURCE PROTECT'N & DEVELOP'T					
03 RESOURCES & ECONOMIC DEVELOP'T					
03 FORESTRY AND LAND RESOURCES					
04 FOREST & LAND MANAGEMENT					
10 PERSONAL SERVICES - PERMANENT				226,224	
20 CURRENT EXPENSES				12,956	
30 EQUIPMENT					
47 OWN FORCES MAINT-BLDG&GRNDS				7,725	
48 CONTRACTUAL MAINT-BLDG&GRND				18,500	
50 PERSONAL SERVICES - OTHER				17,500	
60 BENEFITS				94,952	
70 IN-STATE TRAVEL				62,038	
80 OUT-OF-STATE TRAVEL				8,200	
TOTAL				447,471	432,758
ESTIMATED SOURCE OF FUNDS FOR					
FOREST & LAND MANAGEMENT					
09 AGENCY INCOME				20,000	
GENERAL FUND				427,471	412,758
TOTAL				447,471	432,758
03 RESOURCE PROTECT'N & DEVELOP'T					
03 RESOURCES & ECONOMIC DEVELOP'T					
03 FORESTRY AND LAND RESOURCES					
04 FOREST & LAND MANAGEMENT					
02 NURSERY					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES				54,966	55,924
30 EQUIPMENT				24,104	24,104
47 OWN FORCES MAINT-BLDG&GRNDS				6,500	6,500
48 CONTRACTUAL MAINT-BLDG&GRND				12,800	12,800
50 PERSONAL SERVICES - OTHER				15,921	16,801
60 BENEFITS				100	100
70 IN-STATE TRAVEL					
TOTAL				124,391	126,229
ESTIMATED SOURCE OF FUNDS FOR					
NURSERY					
GENERAL FUND				124,391	126,229
TOTAL				124,391	126,229
03 RESOURCE PROTECT'N & DEVELOP'T					
03 RESOURCES & ECONOMIC DEVELOP'T					
03 FORESTRY AND LAND RESOURCES					
04 FOREST & LAND MANAGEMENT					
03 LAND MANAGEMENT					
10 PERSONAL SERVICES - PERMANENT				89,016	89,016
20 CURRENT EXPENSES				4,171	4,171
60 BENEFITS				20,459	21,364
70 IN-STATE TRAVEL					59
TOTAL				113,720	114,610

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03 RESOURCE PROTECT N & DEVELOP T								
03 RESOURCES & ECONOMIC DEVELOP T								
03 FORESTRY AND LAND RESOURCES								
04 FOREST & LAND MANAGEMENT								
03 LAND MANAGEMENT								
ESTIMATED SOURCE OF FUNDS FOR								
LAND MANAGEMENT								
GENERAL FUND								
TOTAL								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
FORESTRY AND LAND RESOURCES								
FEDERAL FUNDS								
GENERAL FUND								
OTHER FUNDS								
TOTAL								
03 RESOURCE PROTECT N & DEVELOP T								
03 RESOURCES & ECONOMIC DEVELOP T								
04 PARKS AND RECREATION								
01 PARKS ADMINISTRATION								
10 PERSONAL SERVICES - PERMANENT								
11 SALARY OF DIRECTOR								
20 BENEFIT & PENSIONS								
20 BENT & EASES TO NON-STATE								
24 PAINT OTHER THAN BLDG&GRNDS								
30 EQUIPMENT								
50 PERSONAL SERVICES - OTHER								
50 BENEFIT								
80 OUT-OF-STATE TRAVEL								
90 INFORMATION AND EDUCATION								
91 REMARKS-VANDALISM								
92 PUBLIC INFO BROCHURES & SCHOOL								
D								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
PARKS ADMINISTRATION								
GENERAL FUND								
TOTAL								

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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03 RESOURCE PROTECTION & DEVELOPMENT
 04 PARKS AND RECREATION
 02 PARKS FRANCONIA - SUNAPEE
 01 PARKS FRANCONIA

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 HEAT, ELECTRICITY & WATER
 24 MAINTENANCE THAN BLDG&GRNDS
 44 DEPT SERVICE (OTHER AG'S)
 47 OWN FORCES MAINT-BLDG&GRNDS
 48 CONTRACTUAL MAINT-BLDG&GRNDS
 50 PERSONAL SERVICES - OTHER
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 INSURANCE (LIABILITY)
 92 CANNON-PROMOTION MARKETING

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PARKS FRANCONIA
 GENERAL FUND
 TOTAL

714,156
 137,090
 16,460
 16,460
 210,390
 15,390
 81,200
 155,450
 484,570
 43,000
 43,000
 626,932
 220,948
 240
 90,785
 75,000
 2,857,755
 2,792,336
 2,857,755
 2,857,755

THE COMMISSIONER OF RESOURCES AND ECONOMIC
 DEVELOPMENT, WITH THE APPROVAL OF GOVERNOR
 AND COUNCIL, IS AUTHORIZED TO MAKE TRANSFERS
 BETWEEN AND AMONG APPROPRIATIONS IN THE FRAN-
 CONIA AND SUNAPEE COMPONENTS OF THE FUND
 ESTABLISHED BY HOUSE BILL NO. 91, TO PROVIDE
 THE BEST POSSIBLE QUALITY OF SERVICE TO THE
 PUBLIC

03 RESOURCE PROTECTION & DEVELOPMENT
 04 PARKS AND RECREATION
 02 PARKS FRANCONIA - SUNAPEE
 01 PARKS SUNAPEE

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 HEAT, ELECTRICITY & WATER
 24 MAINTENANCE THAN BLDG&GRNDS
 44 DEPT SERVICE (OTHER AG'S)
 47 OWN FORCES MAINT-BLDG&GRNDS
 48 CONTRACTUAL MAINT-BLDG&GRND

317,169
 107,830
 16,595
 16,595
 194,000
 157,000
 66,765
 1,020
 322,146
 107,830
 16,595
 16,595
 250,110
 50,000
 66,765
 1,020

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03 RESOURCE PROTECT'N & DEVELOP'T
03 RESOURCES & ECONOMIC DEVELOP'T
04 PARKS AND RECREATION
05 SUNAPEE PARKS
06 SUNAPEE
07 SUNAPEE
08 SUNAPEE
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96 SUNAPEE
97 SUNAPEE
98 SUNAPEE
99 SUNAPEE
100 SUNAPEE

50 PERSONAL SERVICES - OTHER
50 BENEFITS
50 TRAVEL
80 OUT-OF-STATE TRAVEL
91 INSURANCE (LIABILITY)
92 SUNAPEE-PROMOTION MARKETING
TOTAL

ESTIMATED SOURCE OF FUNDS FOR
PARKS SUNAPEE
GENERAL FUND
TOTAL

522,870
112,349
112,349
190
190
61,480
61,100
75,000

1,643,078
1,643,078
1,643,078
1,571,098
1,571,098
1,571,098

THE COMMISSIONER OF RESOURCES AND ECONOMIC
DEVELOPMENT, WITH THE APPROVAL OF GOVERNOR
AND COUNCIL, HAS RECOMMENDED THE FOLLOWING
BETWEEN AND AMONG APPROPRIATIONS IN THE FUND
CONIA AND SUNAPEE COMPONENTS 03 04 02
CLASSES 20, 23, 47, 50, 91, 92 TO PROVIDE
THE BEST POSSIBLE QUALITY OF SERVICE TO THE
PUBLIC

03 RESOURCE PROTECT'N & DEVELOP'T
03 RESOURCES & ECONOMIC DEVELOP'T
04 PARKS AND RECREATION
05 SUNAPEE PARKS
06 SUNAPEE
07 SUNAPEE
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98 SUNAPEE
99 SUNAPEE
100 SUNAPEE

10 PERSONAL SERVICES - PERMANENT
20 PERSONAL EXPENSES
20 BENEFITS
23 HEAT, ELECTRICITY & WATER
24 MAINT. OTHER THAN BLDG&GRNDS
30 EQUIPMENT
47 MAINT. FORCES
47 MAINT. BLDG&GRNDS
50 PERSONAL SERVICES - OTHER
50 BENEFITS
70 IN-STATE TRAVEL
90 SEA GRANT EXTENSION PROGRAM

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
SERVICE PARKS
GENERAL FUND

279,342
209,300
209,300
3,280
68,870
68,870
82,450
45,000
45,000
3,590
1,087,400
150,571
150,571
50,000

1,983,197
1,983,197
1,983,197
1,887,380
1,887,380
1,887,380

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03 RESOURCE PROTECT'N & DEVELOP'T					(CONT.)			
03 RESOURCES & ECONOMIC DEVELOP'T					(CONT.)			
04 PARKS AND RECREATION					(CONT.)			
05 SERVICE PARKS					(CONT.)			
TOTAL					1,383,197		1,887,380	
03 RESOURCE PROTECT'N & DEVELOP'T								
03 RESOURCES & ECONOMIC DEVELOP'T								
04 PARKS AND RECREATION								
04 HAMPTON METERS								
10 PERSONAL SERVICES - PERMANENT					18,658		19,406	
20 CURRENT EXPENSES					13,850		15,500	
23 HEAT, ELECTRICITY & WATER					6,100		6,100	
24 MAINT. OTHER THAN BLDG&GRND					1,500		1,800	
30 EQUIPMENT					20,000		20,000	
40 DEBT SERVICE (OTHER AGYS)					80,000		404,000	
44 DEBT SERVICE MAINT-BLDG&GRND					20,000		20,000	
48 CONTRACTUAL MAINT-BLDG&GRND					20,800		20,800	
50 PERSONAL SERVICES - OTHER					116,800		116,800	
60 BENEFITS					13,592		13,592	
70 IN-STATE TRAVEL					100		100	
TOTAL					315,534		618,598	
ESTIMATED SOURCE OF FUNDS FOR								
HAMPTON METERS								
06 AGENCY INCOME					315,534		618,598	
TOTAL					315,534		618,598	
THE DEPARTMENT OF RESOURCES AND ECONOMIC								
DEVELOPMENT IS HEREBY AUTHORIZED TO ENTER INTO								
PERCENTAGE OF COLLECTION CONTRACTS FOR PARKING								
VIOLATIONS ISSUED AT STATE OWNED METERS AT								
HAMPTON BEACH								
03 RESOURCE PROTECT'N & DEVELOP'T								
03 RESOURCES & ECONOMIC DEVELOP'T								
04 PARKS AND RECREATION								
05 MT WASHINGTON								
20 CURRENT EXPENSES					23,500		23,500	
22 RENTS & LEASES TO NON-STATE					57,000		57,000	
23 HEAT, ELECTRICITY & WATER					2,000		1,900	
24 MAINT. OTHER THAN BLDG&GRND					4,750		2,800	
30 EQUIPMENT					17,000		15,000	
40 DEBT SERVICE (OTHER AGYS)					192,400		192,400	
44 DEBT SERVICE MAINT-BLDG&GRND								
47 OWN FORCES MAINT-BLDG&GRND								
50 PERSONAL SERVICES - OTHER								

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03 RESOURCE PROTECT'N & DEVELOP'T							
03 RESOURCES & ECONOMIC DEVELOP'T							
04 PARKS AND RECREATION							
05 MT WASHINGTON							
60 BENEFITS							
70 IN-STATE TRAVEL							
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
MT WASHINGTON							
GENERAL FUND							
TOTAL							
03 RESOURCE PROTECT'N & DEVELOP'T							
03 RESOURCES & ECONOMIC DEVELOP'T							
04 PARKS AND RECREATION							
06 RECREATION SERVICES							
10 PERSONAL SERVICES - PERMANENT							
20 CURRENT EXPENSES							
30 EQUIPMENT							
60 BENEFITS							
70 IN-STATE TRAVEL							
80 OUT-OF-STATE TRAVEL							
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
RECREATION SERVICES							
GENERAL FUND							
TOTAL							
03 RESOURCE PROTECT'N & DEVELOP'T							
03 RESOURCES & ECONOMIC DEVELOP'T							
04 PARKS AND RECREATION							
07 OFF-HIGHWAY REC VEHICLES							
10 PERSONAL SERVICES - PERMANENT							
20 RENTALS & FEES TO NON-STATE							
24 MAINT OTHER THAN BLDGGRNDS							
30 EQUIPMENT							
47 OWN FORCES MAINT-BLDGGRNDS							
47 OWN FORCES MAINT-BLDGGRNDS							
60 BENEFITS							
70 IN-STATE TRAVEL							
80 OUT-OF-STATE TRAVEL							
91 GRANTS-IN-AID							
92 SNOW GROOMING VEHICLES							
TOTAL							

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03 RESOURCE PROTECT'N & DEVELOP'T					
03 RESOURCES & ECONOMIC DEVELOP'T					
(CONT.)					
04 PARKS AND RECREATION					
(CONT.)					
07 OFF HIGHWAY REC VEHICLES					
(CONT.)					
ESTIMATED SOURCE OF FUNDS FOR					
OFF HIGHWAY REC VEHICLES					
03 REVOLVING FUNDS					
04 INCOME					
09 AGENCY INCOME					
TOTAL					
		150,000		150,000	
		355,500		355,500	
		555,500		555,500	
TOTAL					
		8,160,975		8,358,452	
ESTIMATED SOURCE OF FUNDS FOR					
PARKS AND RECREATION					
GENERAL FUND					
OTHER FUNDS					
TOTAL					
		7,289,941		7,184,354	
		871,034		1,174,098	
		8,160,975		8,358,452	
TOTAL					
		14,827,574		14,877,831	
ESTIMATED SOURCE OF FUNDS FOR					
RESOURCES & ECONOMIC DEVELOP'T					
FEDERAL FUNDS					
OTHER FUNDS					
TOTAL					
		130,628		130,628	
		13,635,363		13,381,935	
		1,061,583		1,365,268	
		14,827,574		14,877,831	
TOTAL					
		14,827,574		14,877,831	
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
OFFICE OF THE COMMISSIONER					
01 ADMINISTRATION & SUPPORT					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF COMMISSIONER					
12 ASSISTANT COMMISSIONER					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 TRAINING OTHER THAN BLDGGRNDS					
30 EQUIPMENT TO GEN L SERVICES					
41 AUDIT FUND SET ASIDE					
50 PERSONAL SERVICES - OTHER					
60 CONSULTANTS - HEMEFIT					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 STATE GEOLOG' PROGRAM					
91 CENTER HARBOR PROJECT					
		637,963		645,253	
		62,696		62,696	
		47,500		47,500	
		1,300		1,300	
		4,000		4,000	
		37,453		37,537	
		14,600		6,117	
		108,583		112,133	
		20,000		20,000	
		177,793		187,451	
		7,500		7,500	
		77,800		77,800	
		3,868		3,756	

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03 RESOURCE PROTECT N & DEVELOP I
 04 DEPT OF ENVIRONMENTAL SERVICES
 01 OFFICE OF THE COMMISSIONER
 01 ADMINISTRATION & SUPPORT

(CONT 1
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* PORTION OF THESE FUNDS MAY BE UTILIZED TO
 REIMBURSE THE STATE FOR THE EMPLOYMENT OF
 AGENCY IN THE EVENT THAT AN INTERGOVERNMENTAL
 PERSONNEL ASSIGNMENT AGREEMENT IS NEGOTIATED
 TO STAFF THIS POSITION PURSUANT TO RSA 98B 6V
 AND RSA 98D 7. THESE FUNDS CANNOT BE TRANS-
 FERRED OR EXPENDED FOR ANY OTHER PURPOSE

TOTAL	1,234,666	1,248,523
ESTIMATED SOURCE OF FUNDS FOR		
ADMINISTRATION & SUPPORT		
GENERAL FUNDS	16,466	16,854
TOTAL	1,234,666	1,248,523

01 RESOURCE PROTECT N & DEVELOP I
 01 DEPT OF ENVIRONMENTAL SERVICES
 01 OFFICE OF THE COMMISSIONER
 02 LABORATORY COST CENTER

10 PERSONAL SERVICES - PERMANENT	732,910	746,446
20 CURRENT EXPENSES	16,000	176,900
22 RENTS & LEASES TO NON-STATE	16,000	16,000
24 MAINT OTHER THAN BLDG&GRNDS	10,500	10,500
48 TRANSFERS TO GEN L SERVICES	102,210	102,439
50 PERSONAL SERVICES - OTHER	96,732	96,810
60 BENEFITS	175,000	175,000
70 IN-STATE TRAVEL	171,200	181,200
80 OUT-OF-STATE TRAVEL	2,500	2,500
90 MAINTENANCE	15,000	15,000
91 MASS SPEC MAINTENANCE	52,744	52,744
92 CONTRACTS	40,000	40,000
TOTAL	1,442,238	1,466,599

ESTIMATED SOURCE OF FUNDS FOR
 LABORATORY COST CENTER

01 OTHER AGENCY FUNDS	751,450	751,450
GENERAL FUND	690,788	715,131
TOTAL	1,442,238	1,466,599

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03 RESOURCE PROTECT N & DEVELOP'T						
04 DEPT OF ENVIRONMENTAL SERVICES						
01 OFFICE OF THE COMMISSIONER						
03 PESTICIDES ENFORCEMENT PROGRAM						
41 AUDIT FUND SET ASIDE			0	103	103	
49 TRANS TO OTHER STATE AGYS			0	102,364	102,364	
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR				102,467	102,467	
PESTICIDES ENFORCEMENT PROGRAM						
00 FEDERAL FUNDS				102,467	102,467	
TOTAL				102,467	102,467	
TOTAL				2,779,371	2,817,589	
ESTIMATED SOURCE OF FUNDS FOR				118,933	119,321	
OFFICE OF THE COMMISSIONER				1,908,986	1,945,100	
FEDERAL FUNDS				15,150	74,488	
GENERAL FUND				2,779,371	2,817,589	
OTHER FUNDS						
TOTAL						
03 RESOURCE PROTECT N & DEVELOP'T						
04 DEPT OF ENVIRONMENTAL SERVICES						
02 DIV OF WATER RESOURCES						
01 WATER RESOURCES BOARD						
10 PERSONAL SERVICES - PERMANENT				363,122	364,127	
11 SALARY OF DIRECTOR				28,251	50,876	
20 RENT & LEASES				28,591	28,591	
23 RENT & LEASES TO NON-STATE				42,882	42,882	
24 MAINT OTHER THAN BLDG&GRNDS				4,500	4,500	
30 EQUIPMENT				4,600	4,600	
40 PERSONAL SERVICES - OTHER				15,916	16,045	
50 BENEFITS				96,437	100,827	
70 IN-STATE TRAVEL				21,600	21,600	
80 OUT-OF-STATE TRAVEL				3,435	3,435	
91 STREAM FLOW GAUGING				73,501	73,501	
96 BREACH ANALYSIS PROGRAM				15,000	15,000	
TOTAL				725,310	730,834	
ESTIMATED SOURCE OF FUNDS FOR						
WATER RESOURCES BOARD				24,500	24,500	
PERMANENT FUNDS				5,246	5,246	
05 AGENCY INCOME				695,564	701,088	
GENERAL FUND				725,310	730,834	
TOTAL						

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03 RESOURCE PROTECT'N & DEVELOP'T						
04 DEPT OF ENVIRONMENTAL SERVICES						
05 DIV OF WATER RESOURCES						
01 WATER RESOURCES BUREAU						
02 LAKEPORT PROJECT						
10 PERSONAL SERVICES - PERMANENT				49,418		49,418
40 INDIRECT COSTS				442		442
60 BENEFITS				11,860		11,860
TOTAL					61,227	61,221
ESTIMATED SOURCE OF FUNDS FOR						
LAKEPORT PROJECT					50,591	50,999
05 PRIVATE LOCAL FUNDS					10,636	10,722
GENERAL FUND					61,227	61,721
TOTAL						
03 RESOURCE PROTECT'N & DEVELOP'T						
04 DEPT OF ENVIRONMENTAL SERVICES						
02 DIV OF WATER RESOURCES						
01 WATER RESOURCES BUREAU						
03 GREENVILLE PROJECT						
10 PERSONAL SERVICES - PERMANENT				20,295		20,295
40 INDIRECT COSTS				3,000		3,000
60 BENEFITS				4,668		4,871
TOTAL					27,963	28,166
ESTIMATED SOURCE OF FUNDS FOR						
GREENVILLE PROJECT					27,963	28,166
07 AGENCY INCOME					27,963	28,166
TOTAL						
03 RESOURCE PROTECT'N & DEVELOP'T						
04 DEPT OF ENVIRONMENTAL SERVICES						
02 DIV OF WATER RESOURCES						
01 WATER RESOURCES BUREAU						
04 PITTSBURG PROJECT						
10 PERSONAL SERVICES - PERMANENT				18,594		18,594
40 INDIRECT COSTS				2,900		2,900
60 BENEFITS				4,277		4,463
TOTAL					25,771	25,957
ESTIMATED SOURCE OF FUNDS FOR						
PITTSBURG PROJECT					25,771	25,957
06 AGENCY INCOME					25,771	25,957
TOTAL						

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 03 RESOURCE PROTECT'N & DEVELOP'T
 04 DEPT OF ENVIRONMENTAL SERVICES
 02 DIV OF WATER RESOURCES
 02 MAINTENANCE BUREAU

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 MAINT. OTHER THAN BLDG&GRNDS
 47 OWN FORCES MAINT-BLDG&GRNDS
 48 CONTRACTUAL MAINT-BLDG&GRND
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 02 MAINTENANCE BUREAU
 03 AGENCY INCOME
 TOTAL

343,918
 32,736
 1,200
 9,550
 33,500
 35,000
 31,000
 81,489
 29,719

602,717

610,624

1

602,717

610,624

THE MAINTENANCE BUREAU IS AUTHORIZED TO ACCEPT
 AND EXPEND EXCESS REVENUE WITH PRIOR APPROVAL
 OF THE FISCAL COMMITTEE AND THE GOVERNOR
 AND COUNCIL

03 RESOURCE PROTECT'N & DEVELOP'T
 04 DEPT OF ENVIRONMENTAL SERVICES
 02 DIV OF WATER RESOURCES
 01 WETLANDS BOARD
 01 WETLANDS BOARD

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 HEAT, ELECTRICITY & WATER
 24 MAINT. OTHER THAN BLDG&GRNDS
 60 BENEFITS
 70 IN-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 WETLANDS BOARD
 GENERAL FUND
 TOTAL

127,386
 25,061
 5,278
 8,800
 2,200
 29,301
 9,000

199,536

204,751

199,536

204,751

199,536

204,751

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U3 RESOURCE PROTECT N & DEVELOP T			
04 DEPT OF ENVIRONMENTAL SERVICES			
02 DIV OF WATER RESOURCES			
01 INCOME BUREAU			
02 COASTAL PROGRAM			
10 PERSONAL SERVICES - PERMANENT	50,107	51,012	
20 CURRENT EXPENSES	2,295	7,295	
21 RENTS & LEASES TO NON-STATE	7,500	7,500	
24 MAINT. OTHER THAN BLDGGRNDS	11,535	12,043	
60 BENEFITS	5,000	5,500	
70 IN-STATE TRAVEL			
TOTAL	77,603	79,226	
ESTIMATED SOURCE OF FUNDS FOR			
COASTAL PROGRAM	77,603	79,226	
09 AGENCY INCOME	77,603	79,226	
TOTAL			
03 RESOURCE PROTECT N & DEVELOP. T			
04 DEPT OF ENVIRONMENTAL SERVICES			
02 DIV OF WATER RESOURCES			
04 WATER MANAGEMENT BUREAU			
10 PERSONAL SERVICES - PERMANENT	105,798	106,610	
20 CURRENT EXPENSES	14,148	11,646	
22 RENTS & LEASES TO NON-STATE	11,231	11,231	
23 MAINT. OTHER THAN BLDGGRNDS	1,000	1,000	
50 PERSONAL SERVICES - OTHER	45,091	48,842	
60 BENEFITS	27,783	29,322	
70 IN-STATE TRAVEL	5,850	5,850	
80 OUT-OF-STATE TRAVEL	250	250	
TOTAL	211,751	215,351	
ESTIMATED SOURCE OF FUNDS FOR			
WATER MANAGEMENT BUREAU	20,000	20,000	
11 WATER AGENCY FUNDS	19,751	19,751	
GENERAL FUND	211,751	215,351	
TOTAL			
TOTAL	1,931,878	1,956,630	
ESTIMATED SOURCE OF FUNDS FOR			
DIV OF WATER RESOURCES	1,097,487	1,111,912	
GENERAL FUND	834,391	844,718	
OTHER FUNDS	1,931,878	1,956,630	
TOTAL			

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03 RESOURCE PROTECT'N & DEVELOP'T
 04 DEPT OF ENVIRONMENTAL SERVICES
 03 DIV OF WATER POLLUTION CONTROL
 01 WATER POLLUTION PROGRAMS
 01 POLLUTION CONTROL PROGRAM
 10 PERSONAL SERVICES - PERMANENT
 10 CURRENT EXPENSES
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINT. OTHER THAN BLDG&GRNDS
 26 TRANSPORTATION TO GEN'L SERVICES
 28 TRAVEL
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 TRANSFER TO DPHS
 91 LAY MONITORING PROGRAM

891,574
 46,726
 79,457
 2,000
 14,500
 12,100
 12,100
 44,400
 219,231
 37,617
 37,617
 12,445
 25,000
 31,268

903,686
 99,311
 79,857
 2,000
 14,500
 12,100
 12,100
 44,400
 232,109
 37,617
 37,617
 14,328
 31,268

* INCLUDED IN THIS APPROPRIATION IS THE SUM OF
 APPROXIMATELY \$1,100 EACH YEAR TO COVER THE
 COST OF MARINE INSURANCE

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 POLLUTION CONTROL PROGRAM
 GENERAL FUND
 TOTAL

13,877,684
 13,877,684
 13,877,684

15,792,895
 15,792,895
 15,792,895

03 RESOURCE PROTECT'N & DEVELOP'T
 04 DEPT OF ENVIRONMENTAL SERVICES
 03 DIV OF WATER POLLUTION CONTROL
 01 WATER POLLUTION PROGRAMS
 02 SECTION 106 GRANT

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 24 MAINT. OTHER THAN BLDG&GRNDS
 26 TRANSPORTATION TO GEN'L SERVICES
 28 TRAVEL
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 49 TRANS TO OTHER STATE AGYS
 50 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 TRANSFER TO DPHS

291,349
 21,000
 3,877
 10,701
 29,630
 29,630
 489
 20,000
 67,011
 10,000
 6,000
 25,000

295,424
 22,000
 12,000
 10,701
 29,630
 29,630
 496
 20,000
 70,302
 10,000
 6,000
 25,000

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 SECTION 106 GRANT

489,457

496,342

		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
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03 RESOURCE PROTECT'N & DEVELOP. I					
04 DEPT OF ENVIRONMENTAL SERVICES					
03 DIV OF WATER POLLUTION CONTROL					
01 WATER POLLUTION PROGRAMS					
02 SECTION 106 GRANT					
00 FEDERAL FUNDS					
TOTAL					
			489,457		486,342
			489,457		486,342
03 RESOURCE PROTECT'N & DEVELOP. I					
04 DEPT OF ENVIRONMENTAL SERVICES					
03 DIV OF WATER POLLUTION CONTROL					
01 WATER POLLUTION PROGRAMS					
03 COASTAL ZONE MANAGEMENT					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
49 TRANS TO OTHER STATE AGYS					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
		50,733			52,507
ESTIMATED SOURCE OF FUNDS FOR					
COASTAL ZONE MANAGEMENT					
02 AGENCY INCOME					
TOTAL					
		50,733			52,507
		50,733			52,507
03 RESOURCE PROTECT'N & DEVELOP. I					
04 DEPT OF ENVIRONMENTAL SERVICES					
03 DIV OF WATER POLLUTION CONTROL					
02 REVOLVING FUND ADMINISTRATION					
20 CURRENT EXPENSES					
40 INDIRECT COSTS					
41 AUDIT FUND SET ASIDE					
49 TRANS TO OTHER STATE AGYS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS - BENEFITED					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
		163,716			163,716
ESTIMATED SOURCE OF FUNDS FOR					
REVOLVING FUND ADMINISTRATION					
00 FEDERAL FUNDS					
TOTAL					
		163,716			163,716
		163,716			163,716

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03 RESOURCE PROTECT'N & DEVELOP' T
 04 DEPT OF ENVIRONMENTAL SERVICES
 03 DIV OF WATER POLLUTION CONTROL
 03 CONSTRUCTION GRANTS - ADMIN

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 24 MAINT. OTHER THAN BLDG&GRNDS
 28 TRANSFERS TO GEN'L SERVICES
 30 TRANSFERS TO BLDG & GRNDS
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 50 PERSONAL SERVICES - OTHER
 51 CONSULTANTS - BENEFITED
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 92 EDUCATION REIMBURSEMENT

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 CONSTRUCTION GRANTS - ADMIN
 00 FEDERAL FUNDS
 TOTAL

1,025,908
 47,789
 8,000
 27,000
 27,000
 109,768
 1,546
 24,744
 24,744
 259,768
 19,834
 6,000
 3,000
 1,545,105
 1,545,105
 1,545,175
 1,545,175

POSITIONS IN THIS APPROPRIATION MAY BE TRANS-
 FERRED TO OTHER POSITIONS OR TO OTHER
 FUND ADMINISTRATION, AS ACTIVITY IN THAT
 PROGRAM INCREASES. PRIOR APPROVAL OF THE
 LEGISLATIVE FISCAL COMMITTEE AND GOVERNOR &
 COUNCIL IS REQUIRED BEFORE ANY POSITION IS
 TRANSFERRED.

03 RESOURCE PROTECT'N & DEVELOP' T
 04 DEPT OF ENVIRONMENTAL SERVICES
 03 DIV OF WATER POLLUTION CONTROL
 03 CONSTRUCTION GRANTS - ADMIN
 01 SAFE DRINKING WATER ACT

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 24 MAINT. OTHER THAN BLDG&GRNDS
 28 TRANSFERS TO GEN'L SERVICES
 30 TRANSFERS TO BLDG & GRNDS
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 49 TRANSFERS TO OTHER STATE AGENS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

197,817
 12,000
 2,000
 9,363
 22,861
 22,861
 65,375
 65,375
 7,359
 46,061
 10,000
 1,500
 203,395
 12,000
 2,000
 9,364
 23,601
 23,601
 65,380
 65,380
 7,359
 49,378
 10,000
 1,500

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03 RESOURCE PROTECT'N & DEVELOP'T			(CONT.)		
04 DEPT OF ENVIRONMENTAL SERVICES			(CONT.)		
03 DIV OF WATER POLLUTION CONTROL			(CONT.)		
04 WATER SUPPLY PROGRAMS			(CONT.)		
01 SAFE DRINKING WATER ACT					
TOTAL				374,336	384,001
ESTIMATED SOURCE OF FUNDS FOR					
SAFE DRINKING WATER ACT					
00 FEDERAL FUNDS				374,336	384,001
TOTAL				374,336	384,001
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
03 DIV OF WATER POLLUTION CONTROL					
04 WATER SUPPLY PROGRAMS					
02 OPERATOR CERTIFICATION					
20 CURRENT EXPENSES				1,245	1,245
50 PERSONAL SERVICES - OTHER				2,575	2,575
50 BENEFITS				1,933	1,933
50 TRAVEL				634	634
60 OUT-OF-STATE TRAVEL				216	216
TOTAL				4,877	4,877
ESTIMATED SOURCE OF FUNDS FOR					
OPERATOR CERTIFICATION				4,877	4,877
09 AGENCY INCOME				4,877	4,877
TOTAL				4,877	4,877
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
03 DIV OF WATER POLLUTION CONTROL					
05 WINNIPESAUKEE RIVER BASIN					
10 PERSONAL SERVICES - PERMANENT				776,357	789,797
20 CURRENT EXPENSES				199,500	209,500
23 HEAT, ELECTRICITY & WATER				393,000	413,000
24 MAINT. OTHER THAN BLDG&GRNDS				165,000	220,000
28 TRANSFERS TO GEN'L SERVICES				0	0
40 CONTRACTS				56,500	56,500
40 CONTRACTS MAINT-BLDG&GRNDS				11,000	11,000
48 CONTRACTUAL MAINT-BLDG&GRND				5,000	5,000
49 TRANS TO OTHER STATE AGYS				5,000	5,000
50 PERSONAL SERVICES - OTHER				32,365	32,365
50 BENEFITS				192,169	192,169
70 OUT-OF-STATE TRAVEL				10,000	10,000
80 OUT-OF-STATE TRAVEL				4,500	4,500
90 INSURANCE & BOND PREMIUM				25,101	25,101
TOTAL				1,860,639	1,977,113
ESTIMATED SOURCE OF FUNDS FOR					
WINNIPESAUKEE RIVER BASIN					

	FISCAL YEAR 1990	FISCAL YEAR 1991
1. Total	100.0	100.0
2. Federal Government	10.0	10.0
3. State Government	20.0	20.0
4. Local Government	70.0	70.0
5. Private	0.0	0.0
6. Other	0.0	0.0

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03 RESOURCE PROTECT'N & DEVELOP T
04 DEPT OF ENVIRONMENTAL SERVICES
03 DIV OF WATER POLLUTION CONTROL
05 WINNIPESAUKEE RIVER BASIN

05 PRIVATE LOCAL FUNDS	
07 AGENCY INCOME	
TOTAL	

03 RESOURCE PROTECT N & DEVELOP'T
04 DEPT OF ENVIRONMENTAL SERVICES
03 DIV OF WATER POLLUTION CONTROL
06 GROUNDWATER PROGRAMS
01 OIL POLLUTION CONTROL FUND

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
30 RENTS & EASES TO NON-STATE
40 RENT, ELECTRICITY & WATER
50 MEAT, OTHER THAN BLOGGRANDS
60 TRANSFERS TO GEN'L SERVICES
70 EQUIPMENT
80 TRANS TO OTHER STATE AGS
90 PERSONAL SERVICES - OTHER
00 CONSUMTANTS - BENEFITED
10 BENEFITS
20 IN-STATE TRAVEL
30 OUT-OF-STATE TRAVEL
40 OIL/SPILL FORCE ACCOUNT

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
OIL POLLUTION CONTROL FUND
09 AGENCY INCOME
TOTAL

03 RESOURCE PROTECTION & DEVELOPMENT
04 DEPT OF ENVIRONMENTAL SERVICES
03 DIV OF WATER POLLUTION CONTROL
06 GROUNDWATER PROGRAMS
02 UNDERGROUND STORAGE TANK

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
28 TRANSFERS TO GEN'L SERVICES
60 BENEFITS
70 IN-STATE TRAVEL

[illegible]

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(CONT )
(CONT )
(CONT )
( CONT )
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1,810,639
50,000
1,860,639

1,927,113
50,000
1,977,113

137,949
13,481
16,696
130
6,452
6,688
17,000
80,000
20,000
40,000
36,318
6,000
5,100
15,000

400,814
400,814
400,814

141,511
13,481
16,696
6,130
6,452
6,703
17,000
80,000
20,000
40,000
38,553
6,000
5,100
15,000

60, 408
5, 998
2, 681
14, 498
3, 620

87,205
87,205
87,205

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03 RESOURCE PROTECT N & DEVELOP T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DEPT OF WATER POLLUTION CONTROL					
06 GROUNDWATER PROGRAM					
03 FEDERAL UST PROGRAM					
10 PERSONAL SERVICES - PERMANENT					
24 MAINTENANCE SERVICES					
24 MAINTENANCE SERVICES - BLDGGRNDS					
28 TRANSFERS TO GEN L SERVICES					
30 EQUIPMENT					
40 INDIRECT COSTS					
40 INDIRECT COSTS - FUND SET ASIDE					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS SERVICES					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 CONTRACTUAL					
91 TRAINING					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
FEDERAL UST PROGRAM					
03 FEDERAL FUNDS					
TOTAL					
03 RESOURCE PROTECT N & DEVELOP T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DEPT OF WATER POLLUTION CONTROL					
06 GROUNDWATER PROGRAM					
04 LUST TRUST PROGRAM					
10 PERSONAL SERVICES - PERMANENT					
24 MAINTENANCE SERVICES					
24 MAINTENANCE SERVICES - BLDGGRNDS					
28 TRANSFERS TO GEN L SERVICES					
30 EQUIPMENT					
40 INDIRECT COSTS					
40 INDIRECT COSTS - FUND SET ASIDE					
49 TRANS TO OTHER STATE AGYS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS SERVICES - BENEFITED					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 CONTRACTUAL					
91 TRAINING					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
LUST TRUST PROGRAM					
04 FEDERAL FUNDS					
TOTAL					
03 RESOURCE PROTECT N & DEVELOP T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DEPT OF WATER POLLUTION CONTROL					
06 GROUNDWATER PROGRAM					
04 LUST TRUST PROGRAM					
10 PERSONAL SERVICES - PERMANENT					
24 MAINTENANCE SERVICES					
24 MAINTENANCE SERVICES - BLDGGRNDS					
28 TRANSFERS TO GEN L SERVICES					
30 EQUIPMENT					
40 INDIRECT COSTS					
40 INDIRECT COSTS - FUND SET ASIDE					
49 TRANS TO OTHER STATE AGYS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS SERVICES - BENEFITED					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 CONTRACTUAL					
91 TRAINING					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
LUST TRUST PROGRAM					
04 FEDERAL FUNDS					
TOTAL					

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30. RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
03 DIV OF WATER POLLUTION CONTROL					
06 GROUNDWATER PROGRAMS					
05 UNDERGROUND INJECTION CONTROL					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
28 TRANSFERS TO GEN'L SERVICES					
40 INDIRECT COSTS					
45 EQUIPMENT AND SUPPLIES					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
UNDERGROUND INJECTION CONTROL					
00 FEDERAL FUNDS					
TOTAL					
35,838					
37,441					
3,992					
1,341					
6,230					
4,000					
8,243					
2,000					
664					
58,364					
60,715					
60,715					
60,715					
30. RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
03 DIV OF WATER POLLUTION CONTROL					
07 SUBSURFACE WASTE DISPOSAL					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
23 MAINT. OTHER THAN BUILDINGS					
24 MAINT. OTHER THAN BUILDINGS					
28 TRANSFERS TO GEN'L SERVICES					
30 EQUIPMENT					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
SUBSURFACE WASTE DISPOSAL					
GENERAL FUND					
TOTAL					
925,109					
112,501					
13,000					
10,000					
10,000					
36,116					
8,000					
92,399					
10,000					
48,244					
3,000					
1,345,603					
1,381,825					
1,381,825					
1,381,825					

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

03 RESOURCE PROTECT'N & DEVELOP T
 04 DEPT OF ENVIRONMENTAL SERVICES
 03 DIV OF WATER POLLUTION CONTROL
 08 WATER QUALITY PLANNING - 205J

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 21 PERSONAL BUDGETS
 24 TRANSFER TO GEN C SERVICES
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 49 TRANS TO OTHER STATE AGYS
 60 PERSONAL BUDGETS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 WATER QUALITY PLANNING - 205J
 00 FEDERAL FUNDS
 TOTAL

196,499		
11,191		
2,500		
2,500		
23,284		
23,284		
5,000		
5,000		
47,160		
3,463		
1,000		
	292,363	299,762
	292,363	299,762
	292,363	299,762
	21,417,714	23,577,957
	3,792,429	3,874,909
	15,308,222	17,261,985
	2,317,063	2,441,102
	21,417,714	23,577,957

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DIV OF WATER POLLUTION CONTROL
 FEDERAL FUNDS
 GENERAL FUND
 TOTAL

03 RESOURCE PROTECT'N & DEVELOP T
 04 DEPT OF ENVIRONMENTAL SERVICES
 04 DIV OF AIR RESOURCES
 01 ADMINISTRATION & ENGINEERING

10 PERSONAL SERVICES - PERMANENT
 11 SALARY OF DIRECTOR
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 HEAT, ELECTRICITY & WATER
 24 PERSONAL BUDGETS
 28 TRANSFER TO GEN L SERVICES
 30 EQUIPMENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 TRAINING

TOTAL

117,965		
48,711		
9,711		
16,897		
2,630		
12,500		
12,500		
6,000		
18,194		
39,678		
5,380		
2,000		
2,000		
	289,907	293,287

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				(CONT.)	
03 RESOURCE PROTECT'N & DEVELOP'T				(CONT.)	
04 DEPT OF ENVIRONMENTAL SERVICES				(CONT.)	
04 DIV OF AIR RESOURCES				(CONT.)	
01 ADMINISTRATION & ENGINEERING					
ESTIMATED SOURCE OF FUNDS FOR					
ADMINISTRATION & ENGINEERING					
TOTAL		289,907		293,287	
		289,907		293,287	
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
02 TECHNICAL SERVICES & MONITOR					
10 PERSONAL SERVICES - PERMANENT		347,265	352,320		
20 CURRENT EXPENSES		32,542	32,542		
21 RENTALS		21,000	21,000		
23 HEAT, ELECTRICITY & WATER		6,500	4,000		
24 MAINT. OTHER THAN BLDG&GRNDS		6,000	6,000		
30 EQUIPMENT		44,500	46,600		
40 INDIRECT COSTS		536	506		
42 TRANSFER TO COLA		5,700	5,200		
47 OWN FORCES MAINT-BLDG&GRNDS		15,000	15,000		
49 TRANS TO OTHER STATE AGYS		300	300		
50 PERSONAL SERVICES - OTHER		79,884	84,580		
70 IN-STATE TRAVEL		18,700	16,200		
80 OUT-OF-STATE TRAVEL		2,500	2,000		
90 COMMISSION		5,228	5,100		
92 TRAINING		2,600	2,600		
93 COMPUTER SERVICE					
TOTAL		595,225	604,948		
ESTIMATED SOURCE OF FUNDS FOR					
TECHNICAL SERVICES & MONITOR					
TOTAL		595,225	604,948		
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
03 PERMIT FEE SYSTEM					
10 PERSONAL SERVICES - PERMANENT		85,436	87,561		
20 CURRENT EXPENSES		1,800	6,755		
22 RENTALS		1,800	1,800		
24 MAINT. OTHER THAN BLDG&GRNDS		2,544	2,544		
30 EQUIPMENT		5,000	5,000		
49 TRANS TO OTHER STATE AGYS		2,000	2,000		
TOTAL					

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(CONT.)					
(CONT.)					
(CONT.)					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
03 PERMIT FEE SYSTEM					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS TRAVEL					
80 OUT-OF-STATE TRAVEL					
92 TRAINING					
TOTAL		6,000		6,000	
ESTIMATED SOURCE OF FUNDS FOR		20,109		21,474	
PERMIT FEE SYSTEM		5,520		5,520	
06 AGENCY INCOME		2,100		2,100	
TOTAL		2,500		2,500	
			139,864		143,354
C					
			139,864		143,354
TOTAL			139,864		143,354
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
04 ASBESTOS PROGRAM					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
30 EQUIPMENT					
49 TRANS TO OTHER STATE AGYS					
60 BENEFITS TRAVEL					
80 OUT-OF-STATE TRAVEL					
92 TRAINING					
95 MEDICAL EXAMS					
TOTAL		34,949		36,134	
ESTIMATED SOURCE OF FUNDS FOR		3,000		3,000	
ASBESTOS PROGRAM		1,000		1,000	
GENERAL FUND		1,500		1,500	
TOTAL		5,000		5,000	
		8,038		8,672	
		3,000		3,000	
		500		500	
		500		500	
		750		750	
			58,237		60,006
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
05 PCB PROGRAM					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDGGRNDS					
30 EQUIPMENT					
40 INDIRECT COSTS					
41 AUDIT FUND SET ASIDE					
TOTAL		25,409		26,540	
		2,107		1,418	
		1,000		1,000	
		100		100	
		400		400	
		4,250		4,250	
		52		52	
E D					

		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
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03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
05 PCB PROGRAM					
(CONT.)					
(CONT.)					
(CONT.)					
(CONT.)					
0					
60 BENEFITS		5,844		6,370	
70 IN-STATE TRAVEL		1,968		1,000	
80 OUT-OF-STATE TRAVEL		2,300		2,000	
90 COLA & NON BENE/PERSONNEL SER		1,800		1,800	
92 TRAINING		500		500	
93 LAB ANALYSIS		6,270		6,270	
TOTAL		52,000		52,000	
ESTIMATED SOURCE OF FUNDS FOR					
PCB PROGRAM		52,000		52,000	
00 FEDERAL FUNDS		52,000		52,000	
TOTAL					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
06 AIR TOXIC CONTROL UNIT					
(CONT.)					
(CONT.)					
(CONT.)					
(CONT.)					
0					
10 PERSONAL SERVICES - PERMANENT		34,830		36,134	
20 CURRENT EXPENSES		4,000		4,000	
22 RENTS & LEASES TO NON-STATE		750		750	
23 HEAT, ELECTRICITY & WATER		250		250	
24 MAINT OTHER THAN BLDG&GRNDS		500		500	
30 EQUIPMENT SERVICES - OTHER		5,000		5,000	
60 BENEFITS		640		640	
70 IN-STATE TRAVEL		2,500		2,500	
80 OUT-OF-STATE TRAVEL		6,202		6,863	
92 TRAINING		1,000		1,000	
TOTAL		1,000		1,000	
ESTIMATED SOURCE OF FUNDS FOR		60,177		61,497	
AIR TOXIC CONTROL UNIT		60,177		61,497	
GENERAL FUND		60,177		61,497	
TOTAL					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
07 AIR MONITORING					
(CONT.)					
(CONT.)					
(CONT.)					
(CONT.)					
0					
10 PERSONAL SERVICES - PERMANENT		36,116		37,554	
20 CURRENT EXPENSES		5,150		4,131	
22 RENTS & LEASES TO NON-STATE		22,875		20,600	
23 HEAT, ELECTRICITY & WATER		1,000		1,000	
30 EQUIPMENT		50,000		50,000	

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HB 0200	PAGE 190 05/04/89				
03 RESOURCE PROTECT N & DEVELOP I					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF AIR RESOURCES					
07 AIR MONITORING					
		(CONT)			
		(CONT)			
		(CONT)			
		(CONT)			
0					
49 TRANS TO OTHER STATE AGYS		20,000		20,000	
50 PERSONAL SERVICES - OTHER		2,500		2,500	
60 BENEFITS		8,498		8,498	
70 IN-STATE TRAVEL		1,000		1,000	
80 OUT-OF-STATE TRAVEL		1,000		1,000	
92 TRAINING		1,000		1,000	
TOTAL		148,641		148,641	
ESTIMATED SOURCE OF FUNDS FOR					
PERMANENT FUNDING					
GENERAL FUND					
TOTAL		148,641		148,641	
TOTAL					
TOTAL		1,344,051		1,361,581	
ESTIMATED SOURCE OF FUNDS FOR					
DIV OF AIR RESOURCES					
FEDERAL FUNDS					
GENERAL FUND		647,225		656,948	
OTHER FUNDS		956,962		961,229	
TOTAL		1,344,051		1,361,581	
TOTAL					
03 RESOURCE PROTECT N & DEVELOP I					
04 DEPT OF ENVIRONMENTAL SERVICES					
04 DIV OF WASTE MANAGEMENT					
01 RCRA PROGRAMS					
10 PERSONAL SERVICES - PERMANENT		182,912		188,927	
20 CURRENT EXPENSES		11,229		10,942	
24 MAINT. OTHER THAN BLDG&GRNDS		100		100	
28 TRANSFERS TO GEN'L SERVICES		7,275		7,275	
30 EQUIPMENT		5,000		5,000	
40 INDEMNITY COSTS		26,364		27,377	
40 INDEMNITY SET ASIDE		44,370		47,743	
60 BENEFITS		6,075		5,500	
70 IN-STATE TRAVEL		3,500		3,500	
80 OUT-OF-STATE TRAVEL		3,500		3,500	
94 PERSONNEL SAFETY SUPPLIES		63,108		63,108	
96 CONTRACTS & AGREEMENTS					
TOTAL		362,469		376,227	
ESTIMATED SOURCE OF FUNDS FOR					
RCRA PROGRAMS					
FEDERAL FUNDS					
TOTAL		362,469		376,227	

		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
HB 0200	PAGE 191 05/04/89				
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
02 NON-RCRA PROGRAMS					
10 PERSONAL SERVICES - PERMANENT		625,517		648,332	
11 SALARY & BENEFIT		48,495		48,495	
20 CURRENT EXPENSES		45,269		45,269	
22 RENTS & LEASES TO NON-STATE		2,200		2,200	
24 MAINT. OTHER THAN BLDGGRNDS		2,500		2,500	
28 TRANSFERS TO GEN'L SERVICES	D	25,500		25,500	
34 DEPT. OF ENVIRONMENTAL SERVICES		26,500		26,500	
44 DEPT SERVICE (OTHER AGYS)	D	177,188		171,001	
47 OWN FORCES MAINT-BLDGGRNDS	G	131,200		135,350	
50 PERSONAL SERVICES - OTHER		131,394		137,632	
70 BENEFIT TRAVEL		26,583		26,633	
80 OUT-OF-STATE TRAVEL		9,725		9,725	
93 EDUCATIONAL TRAINING		2,400		2,400	
94 PERSONAL SAFETY SUPPLIES		2,500		2,500	
96 CONTRACTS & AGREEMENTS		74,230		72,539	
TOTAL		1,371,719		1,392,153	
ESTIMATED SOURCE OF FUNDS FOR					
NON-RCRA PROGRAMS	I	120,000		120,000	
03 REVOLVING FUNDS	I	5,300		5,300	
05 DIV OF WASTE MANAGEMENT		1,246,419		1,266,853	
GENERAL FUND		1,371,719		1,392,153	
TOTAL					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
03 HAZARDOUS WASTE FUND					
10 PERSONAL SERVICES - PERMANENT		124,801		130,320	
28 TRANSFERS TO GEN'L SERVICES	D	4,839		4,850	
49 TRANS TO OTHER STATE AGYS	D	758,678		736,677	
60 BENEFITS		28,704		31,277	
92 SITTING		60,000		60,000	
TOTAL		977,022		963,124	
ESTIMATED SOURCE OF FUNDS FOR					
HAZARDOUS WASTE FUND					
03 REVOLVING FUNDS	I	977,022		963,124	
TOTAL		977,022		963,124	

THE FUNDS IN THESE APPROPRIATIONS SHALL NOT
BE TRANSFERRED OR EXPENDED FOR ANY OTHER

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(CONT.)					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
01 HAZARDOUS WASTE INVESTIGATIVE					
60 BENEFITS		57,466		60,982	
70 IN-STATE TRAVEL		1,500		1,500	
80 OUT-OF-STATE TRAVEL		1,500		1,500	
90 STATE SITE INVESTIGATION		203,358		170,263	
TOTAL			565,551		543,550
ESTIMATED SOURCE OF FUNDS FOR					
HAZARDOUS WASTE INVESTIGATIVE			565,551		543,550
TOTAL			565,551		543,550
(CONT.)					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
02 NASHUA HAZARDOUS WASTE SITE					
20 CURRENT EXPENSES		15,000		15,000	
30 PERSONAL SERVICES		9,000		9,000	
40 INDIRECT COSTS		9,167		9,167	
41 AUDIT FUND SET ASIDE		2,505		2,505	
49 TRANS TO OTHER STATE AGYS		60,000		60,000	
51 CONSULTANTS - BENEFITED		60,000		60,000	
60 EQUIPMENT		4,590		4,590	
70 IN-STATE TRAVEL		15,000		15,000	
80 OUT-OF-STATE TRAVEL		4,000		4,000	
92 OBT CONTRACTUAL		2,600,000		2,600,000	
TOTAL			2,779,262		2,779,262
ESTIMATED SOURCE OF FUNDS FOR					
NASHUA HAZARDOUS WASTE SITE			2,503,840		2,503,840
00 FEDERAL FUNDS			275,422		275,422
05 AGENCY INCOME			2,779,262		2,779,262
TOTAL					
(CONT.)					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
03 KEEFE HAZARDOUS WASTE SITE					
10 PERSONAL SERVICES - PERMANENT		41,443		41,443	
20 CURRENT EXPENSES		5,327		5,327	
30 PERSONAL SERVICES TO GEN'L SERVICES		806		806	
30 EQUIPMENT		5,000		5,000	
40 INDIRECT COSTS		15,141		15,141	
41 AUDIT FUND SET ASIDE		4,263		4,263	
49 TRANS TO OTHER STATE AGYS		40,000		40,000	

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03 RESOURCE PROTECT'N & DEVELOP. T						
04 DEPT OF ENVIRONMENTAL SERVICES				(CONT.)		
05 DIV OF WASTE MANAGEMENT				(CONT.)		
05 HAZARDOUS WASTE PROGRAMS				(CONT.)		
03 KEEF HAZARDOUS WASTE SITE						
50 PERSONAL SERVICES - OTHER						55,769
51 CONSULTANTS - BENEFITED				52,263		70,000
70 IN-STATE TRAVEL				18,886		19,567
80 OUT-OF-STATE TRAVEL				4,000		4,000
91 ENGINEERING CONTRACTS				4,752		4,752
TOTAL				4,000,000		4,000,000
ESTIMATED SOURCE OF FUNDS FOR					4,261,887	4,266,074
KEEF HAZARDOUS WASTE SITE						
00 FEDERAL FUNDS					4,261,887	4,266,074
TOTAL					4,261,887	4,266,074
03 RESOURCE PROTECT'N & DEVELOP. T						
04 DEPT OF ENVIRONMENTAL SERVICES						
05 DIV OF WASTE MANAGEMENT						
05 HAZARDOUS WASTE PROGRAMS						
04 MULTI-SITE PROGRAM						
10 PERSONAL SERVICES - PERMANENT						162,064
20 CURRENT EXPENSES				158,305		12,117
28 TRANSFERS TO GEN'L SERVICES				11,117		12,042
30 EQUIPMENT				5,000		5,000
40 INDIRECT COSTS				26,652		27,232
41 AUDIT FUND SET ASIDE				0		0
49 TRANS TO OTHER STATE AGYS				40,293		40,300
60 BENEFITS				40,000		40,000
80 IN-STATE TRAVEL				38,896		39,000
80 OUT-OF-STATE TRAVEL				4,500		4,500
TOTAL				5,500		5,500
ESTIMATED SOURCE OF FUNDS FOR					291,810	299,650
MULTI-SITE PROGRAM						
00 FEDERAL FUNDS					291,810	299,650
TOTAL					291,810	299,650
03 RESOURCE PROTECT'N & DEVELOP. T						
04 DEPT OF ENVIRONMENTAL SERVICES						
05 DIV OF WASTE MANAGEMENT						
05 HAZARDOUS WASTE PROGRAMS						
05 CORE PROGRAM						
10 PERSONAL SERVICES - PERMANENT						146,807
20 CURRENT EXPENSES				141,640		14,000
28 TRANSFERS TO GEN'L SERVICES				14,000		4,000
30 EQUIPMENT				4,839		4,839
40 INDIRECT COSTS				20,000		20,000
TOTAL				22,416		22,850

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03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES		(CONT.)			
05 ENVIRONMENTAL MANAGEMENT		(CONT.)			
05 HAZARDOUS WASTE PROGRAMS		(CONT.)			
05 CORE PROGRAM		(CONT.)			
41 AUDIT FUND SET ASIDE		D	284	284	
50 PERSONAL SERVICES - OTHER			20,000	20,000	
60 BENEFITS			34,107	36,764	
70 IN-STATE TRAVEL			4,000	4,000	
80 OUT-OF-STATE TRAVEL			10,000	10,000	
TOTAL			275,278	283,555	
ESTIMATED SOURCE OF FUNDS FOR					
CORE PROGRAM			275,278	283,555	
00 FEDERAL FUNDS			275,278	283,555	
TOTAL					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
06 KINGSTON HAZARDOUS WASTE SITE					
20 CURRENT EXPENSES			4,920	5,020	
22 RENTS & LEASES TO NON-STATE			500	500	
24 RENTALS OTHER THAN BLDG/RMDS			500	500	
30 EQUIPMENT			9,000	9,000	
40 INDIRECT COSTS			10,500	11,000	
41 AUDIT FUND SET ASIDE		E	4,104	4,107	
49 TRANS. TO OTHER STATE AGYS		D	40,000	40,000	
50 PERSONAL SERVICES - OTHER			26,000	26,000	
60 BENEFITS			1,836	1,889	
70 IN-STATE TRAVEL			4,100	4,150	
80 OUT-OF-STATE TRAVEL			4,000	4,000	
91 CONTRACTUAL ENGINEERING			4,000,000	4,000,000	
TOTAL			4,103,060	4,106,016	
ESTIMATED SOURCE OF FUNDS FOR					
KINGSTON HAZARDOUS WASTE SITE			4,103,060	4,106,016	
00 FEDERAL FUNDS			4,103,060	4,106,016	
TOTAL					
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
07 COVER HAZARDOUS WASTE SITE					
20 CURRENT EXPENSES			5,700	5,700	
30 EQUIPMENT			5,000	5,000	
40 INDIRECT COSTS			7,000	7,000	
41 AUDIT FUND SET ASIDE		E	3,579	3,081	
49 TRANS. TO OTHER STATE AGYS		D	20,889	20,889	

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03 RESOURCE PROTECT'N & DEVELOP'T			(CONT.)		
04 DEPT OF ENVIRONMENTAL SERVICES			(CONT.)		
05 DIV OF WASTE MANAGEMENT			(CONT.)		
06 HAZARDOUS WASTE PROGRAMS			(CONT.)		
07 DOWER HAZARDOUS WASTE SITE					
50 PERSONAL SERVICES - OTHER				24,673	24,673
60 BENEFITS				1,887	1,887
80 IN-STATE TRAVEL				7,000	7,000
90 OUT-OF-STATE TRAVEL				7,000	7,000
90 O&M CONTRACTUAL				500,000	500,000
TOTAL				577,771	3,080,293
ESTIMATED SOURCE OF FUNDS FOR					
00 HAZARDOUS WASTE SITE					
00 FEDERAL FUNDS				577,771	3,080,293
TOTAL				577,771	3,080,293
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
06 HAZARDOUS WASTE PROGRAMS					
07 DOWER HAZARDOUS WASTE SITE					
08 SHERSWORTH HAZARDOUS WASTE SITE					
20 CURRENT EXPENSES					
30 EQUIPMENT				7,200	7,200
40 INDIRECT COSTS				5,000	5,000
41 AUDIT FUND SET ASIDE				6,982	9,758
49 TRANS TO OTHER STATE AGYS				3,115	3,115
60 BENEFITS				40,543	40,543
80 IN-STATE TRAVEL				3,602	3,602
90 OUT-OF-STATE TRAVEL				5,000	5,000
90 CONTRACTUAL				7,000	7,000
TOTAL				500,000	3,000,000
ESTIMATED SOURCE OF FUNDS FOR					
00 SHERSWORTH HAZARDOUS WASTE SITE				608,950	3,114,231
00 FEDERAL FUNDS				608,950	3,114,231
TOTAL				608,950	3,114,231
03 RESOURCE PROTECT'N & DEVELOP'T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
06 HAZARDOUS WASTE PROGRAMS					
07 DOWER HAZARDOUS WASTE SITE					
08 COALEY HAZARDOUS WASTE SITE					
20 CURRENT EXPENSES					
30 EQUIPMENT				5,400	5,400
40 INDIRECT COSTS				5,000	5,000
41 AUDIT FUND SET ASIDE				5,814	5,814
49 TRANS TO OTHER STATE AGYS				40,000	40,000
60 BENEFITS				34,013	34,013
80 IN-STATE TRAVEL				2,602	2,602
90 OUT-OF-STATE TRAVEL					
90 CONTRACTUAL					
TOTAL				5,400	5,400
ESTIMATED SOURCE OF FUNDS FOR					
00 COALEY HAZARDOUS WASTE SITE				5,400	5,400
00 FEDERAL FUNDS				5,400	5,400
TOTAL				5,400	5,400

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03 RESOURCE PROTECT N & DEVELOP-T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
09 COAKLEY HAZARDOUS WASTE SITE					
70 IN-STATE TRAVEL		7,000		7,000	
80 OUT-OF-STATE TRAVEL		4,000		4,000	
91 CONTRACTS		5,500,000		5,500,000	
TOTAL			5,613,087		5,613,087
ESTIMATED SOURCE OF FUNDS FOR					
COAKLEY HAZARDOUS WASTE SITE					
00 FEDERAL FUNDS			5,613,087		5,613,087
TOTAL			5,613,087		5,613,087
03 RESOURCE PROTECT N & DEVELOP-T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
11 SAVAGE WELL HAZARDOUS WST SITE					
20 CURRENT EXPENSES		5,000		5,000	
30 EQUIPMENT		5,000		5,000	
40 INDIRECT COSTS		10,135		10,135	
41 ADULT FUND SET ASIDE		10,119		10,119	
49 TRANS TO OTHER STATE AGS		40,000		40,000	
50 PERSONAL SERVICES - OTHER		40,398		40,398	
60 BENEFITS		3,050		3,050	
70 IN-STATE TRAVEL		5,000		5,000	
80 OUT-OF-STATE TRAVEL		7,000		7,000	
90 CONTRACTS		500,000		500,000	
TOTAL			616,240		616,240
ESTIMATED SOURCE OF FUNDS FOR					
SAVAGE WELL HAZARDOUS WST SITE					
00 FEDERAL FUNDS			616,240		616,240
TOTAL			616,240		616,240
03 RESOURCE PROTECT N & DEVELOP-T					
04 DEPT OF ENVIRONMENTAL SERVICES					
05 DIV OF WASTE MANAGEMENT					
05 HAZARDOUS WASTE PROGRAMS					
12 PEARSON HAZARDOUS WASTE SITE					
20 CURRENT EXPENSES		10,000		10,000	
30 EQUIPMENT		5,000		5,000	
40 INDIRECT COSTS		6,000		6,000	
41 ADULT FUND SET ASIDE		15,010		15,010	
49 TRANS TO OTHER STATE AGS		3,743		3,743	
50 PERSONAL SERVICES - OTHER		35,000		35,000	
60 BENEFITS		2,678		2,678	
70 IN-STATE TRAVEL		5,000		5,000	

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03 RESOURCE PROTECT N & DEVELOP I				
04 DEPT OF ENVIRONMENTAL SERVICES				
05 DIV OF WASTE MANAGEMENT				
05 HAZARDOUS WASTE PROGRAMS				
12 HEARSARGE HAZARDOUS WASTE SITE				
90 OUT-OF-STATE TRAVEL	9,000		9,000	
90 CONTRACTUAL	500,000		3,000,000	
TOTAL	623,037		3,125,557	
ESTIMATED SOURCE OF FUNDS FOR				
HAZARDOUS WASTE SITE	623,037		3,125,557	
90 FEDERAL FUNDS	623,037		3,125,557	
TOTAL				
TOTAL	23,240,405		33,275,432	
ESTIMATED SOURCE OF FUNDS FOR				
DIV OF WASTE MANAGEMENT				
FEDERAL FUNDS	19,837,429		29,887,272	
GENERAL FUND	1,943,295		1,480,764	
OTHER FUNDS	1,459,681		1,907,396	
TOTAL	23,240,405		33,275,432	
03 RESOURCE PROTECT N & DEVELOP I				
04 DEPT OF ENVIRONMENTAL SERVICES				
01 PLUMBERS BOARD				
10 PERSONAL SERVICES - PERMANENT	123,431		124,976	
20 TRAVEL	11,366		12,121	
22 RENTS & LEASES TO NON-STATE	14,055		14,055	
24 MAINT OTHER THAN BLDG&GRNDS	1,650		1,650	
30 EQUIPMENT	9,781		9,781	
30 EQUIPMENT SERVICES - OTHER	9,781		9,781	
50 PERSONAL SERVICES - OTHER	29,137		30,757	
60 PERSONAL SERVICES - TRAVEL	14,705		14,705	
70 IN-STATE TRAVEL	970		970	
90 CODE BOOKS				
TOTAL	214,870		209,732	
ESTIMATED SOURCE OF FUNDS FOR				
PLUMBERS BOARD				
GENERAL FUND	214,870		209,732	
TOTAL	214,870		209,732	

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
ALL BOARDS AND COMMISSIONS WHICH HAVE NOT
APPLICANTS FOR A LICENSE OR
APPLICANTS FOR A LICENSE OR

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 03 RESOURCE PROTECT'N & DEVELOP T (CONT.)
 04 DEPT OF ENVIRONMENTAL SERVICES (CONT.)
 05 ADMIN ATTACHED BOARDS (CONT.)
 01 PLUMBERS BOARD (CONT.)

REGISTRATION, A PUBLICATION WHICH THEY SELL, OR ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFICALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT RULES UNDER RSA 541-A RELATIVE TO FEES FOR SUCH PROGRAMS. SUCH FEES SHALL RECOVER ON AN EQUAL BASIS THE COST OF SUCH PROGRAMS. THE PROGRAM INCLUDING THE COST OF SUPPORT AND ADMINISTRATIVE SERVICES PROVIDED BY OTHER AGENCIES, OR 125% OF THE DIRECT COST OF THE BOARD OR COMMISSION RELATING TO THE PROGRAM, SHALL BE PAID BY THE PLUMBERS BOARD. THE COMMISSION WHICH ESTABLISHES FEES FOR EXAMINATION APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINATIONS, RELATED SERVICES, OR SUPPLIES, AS NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF THE EXAMINATION.

03 RESOURCE PROTECT'N & DEVELOP T
 04 DEPT OF ENVIRONMENTAL SERVICES
 05 ADMIN ATTACHED BOARDS
 02 OIL FUND DISBURSEMENT BOARD

20 CURRENT EXPENSES	13,000		13,000
24 TRAINING OTHER THAN BLD&GRADS	2,000		2,000
25 TRAVEL	2,000		2,000
49 TRANS TO OTHER STATE AGTS	218,391	0	218,391
50 PERSONAL SERVICES - OTHER	132,356		132,356
60 BENEFITS	83,894		83,894
70 IN-STATE TRAVEL	6,418		6,418
70 OUT-STATE TRAVEL	3,000		3,000
80 CONTRACTUAL	10,000		10,000
91 TRAINING	3,000		3,000
TOTAL	325,678		325,678
ESTIMATED SOURCE OF FUNDS FOR			
01 FUND DISBURSEMENT BOARD			
09 AGENCY INCOME	325,678		325,678
TOTAL	325,678		325,678

540,548

560,703

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMIN ATTACHED BOARDS
 GENERAL FUND
 TOTAL

214,870		214,870
325,678		325,678
560,703		560,703

51,253,967

63,549,892

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03 RESOURCE PROTECT N & DEVELOP 1					
04 DEPT OF ENVIRONMENTAL SERVICES					
1 CONT 1					
1 CONT 1					
ESTIMATED SOURCE OF FUNDS FOR					
DEPT OF ENVIRONMENTAL SERVICES					
FEDERAL FUNDS					
GENERAL FUND					
OTHER FUNDS					
TOTAL					
		24,396,016		34,536,450	
		20,506,210		22,436,432	
		51,253,967		63,549,892	
TOTAL					
		75,055,424		87,464,988	
ESTIMATED SOURCE OF FUNDS FOR					
RESOURCE PROTECT N & DEVELOP 1					
FEDERAL FUNDS					
GENERAL FUND					
FISH AND GAME FUNDS					
OTHER FUNDS					
TOTAL					
		25,871,503		36,088,603	
		34,781,573		50,537,318	
		9,287,993		9,724,720	
		75,055,424		87,464,988	
TOTAL					
		75,055,424		87,464,988	
04 TRANSPORTATION TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
01 EXECUTIVE OFFICE					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF ASST COMMISSIONER					
13 SALARY OF DIR PROJECT DEVELOP					
15 SALARY OF DIR PROJECT DEVELOP					
18 PERMANENT EMPLOYEE OVERTIME					
19 HOLIDAY PAY					
20 OVERTIME					
30 EQUIPMENT					
46 CONSULTANTS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 TRAVEL					
80 OUT-OF-STATE TRAVEL					
92 EMPLOYEE TRAINING					
		778,328		787,939	
		64,406		64,406	
		62,696		62,696	
		52,435		55,011	
		10,000		12,000	
		102,630		132,630	
		626,591		479,015	
		40,000		40,000	
		456,330		250,530	
		25,000		25,000	
		8,550		8,550	
		71,125		71,125	
		25,000		25,000	
		2,557,859		2,465,217	
TOTAL ESTIMATED SOURCE OF FUNDS FOR					
EXECUTIVE OFFICE					
HIGHWAY FUNDS					
TOTAL					
		2,557,859		2,465,217	
		2,557,859		2,465,217	

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04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
02 ADMINISTRATION DIVISION						
02 BUDGET & FINANCE BUREAU						
10 PERSONAL SERVICES - PERMANENT						
18 PERMANENT EMPLOYEE OVERTIME						
19 HOLIDAY PAY						
20 CURRENT EXPENSES						
22 RENTS & LEASES TO NON-STATE						
60 BENEFITS TO INFO SERVICES						
60 BENEFITS TO INFO SERVICES						
70 IN-STATE TRAVEL						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
BUDGET & FINANCE BUREAU						
HIGHWAY FUNDS						
TOTAL						
24 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
03 ADMINISTRATION DIVISION						
03 CONTRACTS BUREAU						
10 PERSONAL SERVICES - PERMANENT						
18 PERMANENT EMPLOYEE OVERTIME						
19 HOLIDAY PAY						
20 CURRENT EXPENSES						
22 RENTS & LEASES TO NON-STATE						
60 BENEFITS						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
CONTRACTS BUREAU						
AGENCY INCOME						
HIGHWAY FUNDS						
TOTAL						
24 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
03 ADMINISTRATION DIVISION						
04 HUMAN RESOURCES BUREAU						
10 PERSONAL SERVICES - PERMANENT						
18 PERMANENT EMPLOYEE OVERTIME						
20 CURRENT EXPENSES						
30 EQUIPMENT						
70 BENEFITS						
80 OUT-OF-STATE TRAVEL						
TOTAL						

755,359

741,516

A

1,030,695

1,055,505

342,670

808,438

55,000

761,005

816,005

474,730

4,000

40,265

12,500

114,896

4,552

1,000

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04 TRANSPORTATION								
01 DEPARTMENT OF TRANSPORTATION								
01 ADMINISTRATION DIVISION								
04 HUMAN RESOURCES BUREAU								
TOTAL ESTIMATED SOURCE OF FUNDS FOR HUMAN RESOURCES BUREAU							660,388	658,705
TOTAL							660,388	658,705
04 TRANSPORTATION								
01 DEPARTMENT OF TRANSPORTATION								
01 ADMINISTRATION DIVISION								
05 DATA MANAGEMENT BUREAU								
10 PERSONAL SERVICES - PERMANENT								
18 PERMANENT EMPLOYEE OVERTIME								
19 HOLIDAY PAY								
20 CURRENT EXPENSES								
22 RENTS & LEASES TO NON-STATE								
24 RENTALS TO NON-STATE								
26 EQUIPMENT								
30 MAINT. OTHER THAN BLDGS&GRDS								
60 BENEFITS								
70 IN-STATE TRAVEL								
TOTAL ESTIMATED SOURCE OF FUNDS FOR DATA MANAGEMENT BUREAU							1,514,749	1,576,785
TOTAL							19,000	20,000
1,000							114,333	113,833
706,029							194,700	194,700
20,340							352,982	383,469
1,000							2,933,443	2,936,116
2,933,443							2,936,116	2,936,116
04 TRANSPORTATION								
01 DEPARTMENT OF TRANSPORTATION								
01 ADMINISTRATION DIVISION								
06 TRANS PLANNING/SYS MGMT BUREAU								
10 PERSONAL SERVICES - PERMANENT								
18 PERMANENT EMPLOYEE OVERTIME								
19 HOLIDAY PAY								
20 CURRENT EXPENSES								
22 RENTS & LEASES TO NON-STATE								
24 RENTALS TO NON-STATE								
26 EQUIPMENT								
30 MAINT. OTHER THAN BLDGS&GRDS								
60 BENEFITS								
70 IN-STATE TRAVEL								
TOTAL ESTIMATED SOURCE OF FUNDS FOR TRANS PLANNING/SYS MGMT BUREAU							1,033,448	1,047,945
TOTAL							22,000	24,000
1,000							24,582	24,582
1,000							2,310	2,310
3,007							242,983	252,507
20,000							1,351,430	1,382,451

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04 TRANSPORTATION

01 DEPARTMENT OF TRANSPORTATION
 02 OPERATIONS DIVISION
 01 HIGHWAY MAINTENANCE BUREAU

HIGHWAY FUNDS

TOTAL

04 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 02 OPERATIONS DIVISION
 02 BRIDGE MAINTENANCE BUREAU
 01 BRIDGE MAINTENANCE

10 PERSONAL SERVICES - PERMANENT
 18 HOLIDAY PAY
 19 EMPLOYEE OVERTIME
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 MEAT, ELECTRICITY & WATER
 24 MEAT, ELECTRICITY & WATER
 50 EQUIPMENT OTHER THAN BLDGGRNDS
 47 OWN FORCES MAINT-BLDGGRNDS
 48 CONTRACTUAL MAINT-BLDGGRNDS
 50 PERSONAL SERVICES - OTHER
 50 PERSONAL SERVICES
 70 IN-STATE TRAVEL
 50 OPERATIONS EXPENSE-BRIDGE MA

TOTAL

ECUATED SOURCE OF FUNDS FOR
 BRIDGE MAINTENANCE
 09 AGENCY INCOME
 HIGHWAY FUNDS
 TOTAL

04 TRANSPORTATION

01 DEPARTMENT OF TRANSPORTATION
 02 OPERATIONS DIVISION
 02 BRIDGE MAINTENANCE BUREAU
 02 TURNPIKE BRIDGE MAINTENANCE

10 PERSONAL SERVICES - PERMANENT
 18 HOLIDAY PAY
 19 EMPLOYEE OVERTIME
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 23 MEAT, ELECTRICITY & WATER
 24 MEAT, ELECTRICITY & WATER
 50 EQUIPMENT OTHER THAN BLDGGRNDS
 47 OWN FORCES MAINT-BLDGGRNDS
 48 CONTRACTUAL MAINT-BLDGGRNDS
 50 PERSONAL SERVICES - OTHER
 50 PERSONAL SERVICES

TOTAL

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----
 (CONT)
 (CONT)
 (CONT)

45,898,503
 45,898,598

46,293,086
 46,293,086

1,977,395
 78,000
 80,000
 516,719
 203,700
 203,700
 81,480
 81,480
 116,000
 5,335
 5,335
 4,850
 4,850
 478,632
 286,150
 505,471
 286,150
 1,455

3,874,119
 40,000
 3,834,119
 3,874,119

3,919,061
 40,000
 3,879,061
 3,919,061

129,858
 8,000
 8,000
 54,029
 54,029
 16,450
 16,450
 2,425
 1,940
 1,940
 11,190
 11,190
 5,220
 5,220
 32,566

130,512
 9,000
 9,000
 54,029
 54,029
 16,450
 16,450
 1,940
 1,940
 7,750
 7,750
 5,220
 5,220
 34,362

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04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
02 OPERATIONS DIVISION					
03 BRIDGE MAINTENANCE BUREAU					
04 INTERSTATE BRIDGE AUTHORITY					
47 OWN FORCES MAINT-BLDG&RNS	6	8,730		8,730	
50 PERSONAL SERVICES - OTHER		2,730		2,730	
60 BENEFITS		83,220		83,220	
70 IN-STATE TRAVEL		4,850		4,850	
TOTAL			574,123		588,915
ESTIMATED SOURCE OF FUNDS FOR					
INTERSTATE BRIDGE AUTHORITY					
05 PRIVATE LOCAL FUNDS			230,000		230,000
HIGHWAY FUNDS			344,123		358,915
TOTAL			574,123		588,915
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
02 OPERATIONS DIVISION					
03 BRIDGE MAINTENANCE BUREAU					
05 CHESHIRE BRIDGE	D				
20 CURRENT EXPENSES		1,600		1,675	
23 HEAT, ELECTRICITY & WATER		8,400		8,820	
44 DEBT SERVICE - OVERHEAD		255,000		243,000	
50 PERSONAL SERVICES - OTHER		87,548		87,548	
60 BENEFITS		6,630		6,565	
70 IN-STATE TRAVEL		1,050		1,100	
91 BRIDGE MAINT TRANSFER		3,780		3,569	
TOTAL			380,241		373,528
ESTIMATED SOURCE OF FUNDS FOR					
CHESHIRE BRIDGE					
09 AGENCY INCOME	I		380,241		373,528
TOTAL			380,241		373,528
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
02 OPERATIONS DIVISION					
03 TRAFFIC BUREAU					
10 PERSONAL SERVICES - PERMANENT					
18 PERMANENT EMPLOYEE OVERTIME		1,244,701		1,258,668	
19 HOLIDAY PAYMENTS		103,300		106,300	
20 HOLIDAY EXPENSES		3,000		3,000	
22 RENTS & LEASES TO NON-STATE		1,197,200		1,197,200	
23 HEAT, ELECTRICITY & WATER	D	148,300		148,300	
24 MAINT OTHER THAN BLDG&RNS		48,500		48,500	
30 EQUIPMENT		18,150		15,150	
47 OWN FORCES MAINT-BLDG&RNS	6	14,500		14,500	

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04 TRANSPORTATION				
01 DEPARTMENT OF TRANSPORTATION				
02 OPERATIONS DIVISION				
03 TRAFFIC BUREAU				
(CONT 1)				
(CONT 1)				
(CONT 1)				
50 PERSONAL SERVICES - OTHER				
70 IN-STATE TRAVEL		130,391	130,391	
		338,787	338,787	
		123,675	123,675	
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR		3,360,389	3,360,389	3,395,548
00 AGENCY INCOME				
HIGHWAY FUNDS		750,000	750,000	750,000
TOTAL		2,610,389	2,610,389	2,645,548
		3,360,389	3,360,389	3,395,548
04 TRANSPORTATION				
01 DEPARTMENT OF TRANSPORTATION				
02 OPERATIONS DIVISION				
04 MECHANICAL SERVICES BUREAU				
10 PERSONAL SERVICES - PERMANENT				
18 PERMANENT EMPLOYEE OVERTIME		1,772,678	1,772,678	1,790,562
19 HOLIDAY PAY		105,000	105,000	108,000
20 CURRENT EXPENSES		5,000	5,000	5,000
21 TRAVEL		3,682,181	3,682,181	3,682,181
22 MEAT, ELECTRICITY & WATER		123,073	123,073	123,073
30 EQUIPMENT		3,407,697	3,407,697	3,417,897
50 PERSONAL SERVICES - OTHER		76,403	76,403	76,403
60 BENEFITS		438,861	438,861	462,700
70 IN-STATE TRAVEL		130,391	130,391	130,391
91 TOOL RENTAL		5,800	5,800	5,800
THIS APPROPRIATION SHALL NOT BE EXPENDED				
ENCUMBERED OR OBLIGATED IN ANY WAY UNTIL				
TIME AS THE DEPARTMENT OF TRANSPORTATION HAS				
DEVELOPED AN ACQUISITION PLAN AND RECEIVED THE				
APPROVAL OF SUCH PLAN FROM BOTH THE CAPITAL				
AND OVERVIEW COMMITTEE AND THE DEPARTMENT OF				
COUNCIL THE DEPARTMENT OF TRANSPORTATION				
SHALL SUBMIT MONTHLY A STATUS REPORT OF THE				
PLAN TO THE CAPITAL BUDGET OVERVIEW COMMITTEE				
AND THE GOVERNOR AND COUNCIL FOR REVIEW BOTH				
DURING AND BETWEEN LEGISLATIVE SESSIONS				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR		9,626,405	9,626,405	9,581,328
00 AGENCY INCOME				
HIGHWAY FUNDS		4,800,000	4,800,000	5,100,000
TOTAL		4,826,405	4,826,405	4,481,328

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04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
02 OPERATIONS DIVISION					
03 OTHER OPERATIONS					
04 MECHANICAL SERVICES BUREAU					
TOTAL			9 626,405		9 581,328
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
02 OPERATIONS DIVISION					
03 OTHER OPERATIONS					
01 LAND & BUILDINGS					
28 TRANSFERS TO GENERAL SERVICES		0			
92 LAND ACQUISITION & CONSTRUCTION			270,494		271,821
TOTAL			97,000		97,000
ESTIMATED SOURCE OF FUNDS FOR					
LAND & BUILDINGS			367,494		368,821
HIGHWAY FUNDS			367,494		368,821
TOTAL			367,494		368,821
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
02 OPERATIONS DIVISION					
03 OTHER OPERATIONS					
02 CLAIMS					
90 CLAIMS			5,000		5,000
91 SALTED WELLS			199,500		199,500
92 UNEMPLOYMENT COMPENSATION			15,000		15,000
TOTAL			219,500		219,500
ESTIMATED SOURCE OF FUNDS FOR					
CLAIMS			219,500		219,500
HIGHWAY FUNDS			219,500		219,500
TOTAL			219,500		219,500
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
02 OPERATIONS DIVISION					
03 OTHER OPERATIONS					
03 LITTER PICK-UP					
20 CURRENT EXPENSES			209,258		209,258
50 PERSONAL SERVICES - OTHER			169,512		169,512
60 BENEFITS			12,968		12,968
TOTAL			391,738		391,738
ESTIMATED SOURCE OF FUNDS FOR					
LITTER PICK-UP			391,738		391,738
HIGHWAY FUNDS			391,738		391,738
TOTAL			391,738		391,738

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04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
02 OPERATIONS DIVISION						
03 PROJECT DEVELOPMENT DIVISION						
04 FUEL DISTRIBUTION						
10 PERSONAL SERVICES - PERMANENT						
18 PERMANENT EMPLOYEE OVERTIME						
19 HOLIDAY PAY						
20 CURRENT EXPENSES						
24 MAINTENANCE						
25 EQUIPMENT						
26 OTHER THAN BLDG&GRNDS						
60 BENEFITS						
70 IN-STATE TRAVEL						
TOTAL				112,746	113,737	
ESTIMATED SOURCE OF FUNDS FOR				11,000	12,000	
FUEL DISTRIBUTION				13,740	14,000	
09 AGENCY INCOME				13,600	13,600	
TOTAL				34,170	34,604	
				1,085	1,085	
				28,692	30,417	
				5,335	5,335	
TOTAL				206,597		177,208
ESTIMATED SOURCE OF FUNDS FOR				206,597		177,208
FUEL DISTRIBUTION				206,597		177,208
TOTAL						
TOTAL				65,366,453		65,779,341
ESTIMATED SOURCE OF FUNDS FOR				58,561,628		58,810,768
FUEL DISTRIBUTION				6,704,825		6,968,523
09 AGENCY INCOME				65,366,453		65,779,341
TOTAL						
04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
03 PROJECT DEVELOPMENT DIVISION						
01 DESIGN BUREAU						
10 PERSONAL SERVICES - PERMANENT						
18 PERMANENT EMPLOYEE OVERTIME						
19 HOLIDAY PAY						
20 CURRENT EXPENSES						
24 MAINTENANCE						
25 EQUIPMENT						
26 OTHER THAN BLDG&GRNDS						
60 BENEFITS						
70 IN-STATE TRAVEL						
TOTAL				4,636,680	4,694,590	
ESTIMATED SOURCE OF FUNDS FOR				303,000	303,000	
DESIGN BUREAU				5,000	5,000	
09 AGENCY INCOME				73,900	73,900	
TOTAL				1,137,276	1,200,622	
				11,000	12,650	
TOTAL				6,169,950		6,293,907
ESTIMATED SOURCE OF FUNDS FOR				6,169,950		6,293,907
DESIGN BUREAU				6,169,950		6,293,907
HIGHWAY FUNDS						
TOTAL						

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04. TRANSPORTATION						
01. DEPARTMENT OF TRANSPORTATION						
03. PROJECT DEVELOPMENT DIVISION						
02. RIGHT-OF-WAY BUREAU						
10 PERSONAL SERVICES - PERMANENT	999,587				1,011,739	
18 PERMANENT EMPLOYEE OVERTIME	31,000				31,000	
19 HOLIDAY PAY	1,000				1,000	
20 CURRENT EXPENSES	70,000				70,000	
60 BENEFITS	5,000				5,000	
70 IN-STATE TRAVEL	237,265				240,497	
TOTAL	10,428				10,428	
ESTIMATED SOURCE OF FUNDS FOR	1,354,280				1,379,664	
RIGHT-OF-WAY BUREAU						
HIGHWAY FUNDS	1,354,280				1,379,664	
TOTAL	1,354,280				1,379,664	
04. TRANSPORTATION						
01. DEPARTMENT OF TRANSPORTATION						
03. PROJECT DEVELOPMENT DIVISION						
03. MUNICIPAL HIGHWAYS BUREAU						
10 PERSONAL SERVICES - PERMANENT	198,997				199,020	
18 PERMANENT EMPLOYEE OVERTIME	6,500				7,500	
19 HOLIDAY PAY	500				500	
20 CURRENT EXPENSES	2,000				2,000	
60 BENEFITS	47,379				49,685	
70 IN-STATE TRAVEL	47,639				639	
TOTAL	256,618				259,947	
ESTIMATED SOURCE OF FUNDS FOR	256,618				259,947	
MUNICIPAL HIGHWAYS BUREAU	256,618				259,947	
HIGHWAY FUNDS	256,618				259,947	
TOTAL	256,618				259,947	
04. TRANSPORTATION						
01. DEPARTMENT OF TRANSPORTATION						
03. PROJECT DEVELOPMENT DIVISION						
04. ENVIRONMENTAL BUREAU						
01. ADMINISTRATION						
10 PERSONAL SERVICES - PERMANENT	639,585				646,971	
18 PERMANENT EMPLOYEE OVERTIME	26,000				29,000	
19 HOLIDAY PAY	1,000				1,000	
20 CURRENT EXPENSES	18,455				18,475	
60 BENEFITS	12,113				12,113	
70 IN-STATE TRAVEL	23,851				27,851	
TOTAL	864,206				895,750	
ESTIMATED SOURCE OF FUNDS FOR						
ADMINISTRATION						

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04 TRANSPORTATION				(CONT)		
01 DEPARTMENT OF TRANSPORTATION				(CONT)		
03 PROJECT DEVELOPMENT DIVISION				(CONT)		
04 ENVIRONMENTAL BUREAU				(CONT)		
01 ADMINISTRATION					864,206	885,750
HIGHWAY FUNDS					864,206	885,750
TOTAL						
04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
03 PROJECT DEVELOPMENT DIVISION						
04 ENVIRONMENTAL BUREAU						
02 LILAC PROGRAM						
90 OTHER EXPENDITURES					10,000	10,000
TOTAL					10,000	10,000
ESTIMATED SOURCE OF FUNDS FOR						
LILAC PROGRAM					10,000	10,000
HIGHWAY FUNDS					10,000	10,000
TOTAL						
04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
03 PROJECT DEVELOPMENT DIVISION						
05 BRIDGE DESIGN BUREAU						
10 PERSONAL SERVICES - PERMANENT						
18 PERMANENT EMPLOYEE OVERTIME						
19 HOLIDAY PAY						
20 CURRENT EXPENSES						
22 RENTS & LEASES TO NON-STATE						
30 EQUIPMENT						
60 BENEFITS						
70 IN-STATE TRAVEL						
TOTAL					1,387,424	1,389,961
ESTIMATED SOURCE OF FUNDS FOR						
BRIDGE DESIGN BUREAU					1,387,424	1,389,961
HIGHWAY FUNDS					1,387,424	1,389,961
TOTAL						
04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
03 PROJECT DEVELOPMENT DIVISION						
06 MATERIALS & RESEARCH BUREAU						
10 PERSONAL SERVICES - PERMANENT						
18 PERMANENT EMPLOYEE OVERTIME						
19 HOLIDAY PAY						
20 CURRENT EXPENSES						
TOTAL					1,320,811	1,320,811
ESTIMATED SOURCE OF FUNDS FOR						
MATERIALS & RESEARCH BUREAU					1,320,811	1,320,811
TOTAL					1,320,811	1,320,811

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04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
06 MATERIALS & RESEARCH BUREAU					
D					
22 RENT & LEASES TO NON-STATE	17,000		17,000		17,000
23 HEAT, ELECTRICITY & WATER	1,000		1,000		1,000
24 MAINT OTHER THAN BLDG&GRNS	14,600		14,600		14,600
47 OWN FORCES MAINT-BLDG&GRNS	1,000		1,000		1,000
60 BENEFITS	318,436		318,436		318,436
70 IN-STATE TRAVEL	29,882		29,882		29,882
TOTAL		1,857,812		1,857,812	1,894,358
ESTIMATED SOURCE OF FUNDS FOR					
MATERIALS & RESEARCH BUREAU					
TOTAL		1,857,812		1,857,812	1,894,358
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
07 CONSTRUCTION BUREAU					
D					
10 PERSONAL SERVICES - PERMANENT	3,026,169		3,026,169		3,042,663
18 PERMANENT EMPLOYEE OVERTIME	425,000		425,000		425,000
19 HOLIDAY PAY	31,164		31,164		31,164
20 CURRENT EXPENSES	1,600		1,600		1,600
22 RENT & LEASES TO NON-STATE	200		200		200
23 HEAT, ELECTRICITY & WATER	200		200		200
24 MAINT OTHER THAN BLDG&GRNS	784,300		784,300		823,300
60 BENEFITS	124,936		124,936		124,936
70 IN-STATE TRAVEL					
TOTAL		4,409,288		4,464,302	4,464,302
ESTIMATED SOURCE OF FUNDS FOR					
CONSTRUCTION BUREAU					
TOTAL		4,409,288		4,464,302	4,464,302
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
08 ENGINEERING AUDIT BUREAU					
D					
10 PERSONAL SERVICES - PERMANENT	382,709		382,709		384,625
18 PERMANENT EMPLOYEE OVERTIME	15,000		15,000		15,000
19 HOLIDAY PAY	500		500		500
20 CURRENT EXPENSES	4,036		4,036		4,036
60 BENEFITS	91,588		91,588		96,030
70 IN-STATE TRAVEL	807		807		807
TOTAL		494,640		500,998	500,998

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03. TRANSPORTATION					
01. DEPARTMENT OF TRANSPORTATION					
02. PROJECT DEVELOPMENT DIVISION					
03. MATCHING FUNDS					
04. SECONDARY					
05. FEDERAL FUNDS					
06. HIGHWAY FUNDS					
TOTAL					
		2,324,988		2,324,988	
		570,000		570,000	
		3,510,000		3,510,000	
04. TRANSPORTATION					
01. DEPARTMENT OF TRANSPORTATION					
02. PROJECT DEVELOPMENT DIVISION					
03. MATCHING FUNDS					
04. URBAN D					
41. AUDIT FUND SET ASIDE					
30. OTHER EXPENDITURES					
		3,657		3,657	
		4,708,979		4,388,743	
		4,712,636		4,388,400	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
URBAN DEPARTMENT					
01. FEDERAL FUNDS					
02. PRIVATE LOCAL FUNDS					
03. HIGHWAY FUNDS					
TOTAL					
		3,556,970		3,556,986	
		570,414		570,415	
		484,752		150,000	
		4,712,636		4,388,400	
04. TRANSPORTATION					
01. DEPARTMENT OF TRANSPORTATION					
03. PROJECT DEVELOPMENT DIVISION					
05. MATCHING FUNDS					
05. METRO TRANSIT					
41. AUDIT FUND SET ASIDE					
30. OTHER EXPENDITURES					
		234		234	
		310,433		310,433	
		310,667		310,667	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
METRO TRANSIT					
05. FEDERAL FUNDS					
06. HIGHWAY FUNDS					
TOTAL					
		233,000		233,000	
		77,667		77,667	
		310,667		310,667	
04. TRANSPORTATION					
01. DEPARTMENT OF TRANSPORTATION					
03. PROJECT DEVELOPMENT DIVISION					
06. MATCHING FUNDS					
06. ROADSIDE OBSTACLES					
41. AUDIT FUND SET ASIDE					
30. OTHER EXPENDITURES					
		833		833	
		832,167		832,167	
		833,000		833,000	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ROADSIDE OBSTACLES					

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04	TRANSPORTATION				(CONT.)		
01	DEPARTMENT OF TRANSPORTATION				(CONT.)		
03	PROJECT DEVELOPMENT DIVISION				(CONT.)		
06	TRANSFERRING FACILITIES				(CONT.)		
08	ROADSIDE OBSTACLES						
00	FEDERAL FUNDS					833,000	833,000
TOTAL						833,000	
04	TRANSPORTATION						
01	DEPARTMENT OF TRANSPORTATION						
03	PROJECT DEVELOPMENT DIVISION						
09	MATCHING FUNDS						
07	RAILROAD GRADE CROSSINGS						
41	AUDIT FUND SET ASIDE					657	
90	OTHER EXPENDITURES				729,343		729,343
TOTAL							730,000
TOTALLED SOURCE OF FUNDS FOR							
BUILDING ROAD GRADE CROSSINGS							
00 FEDERAL FUNDS						657,000	657,000
05 PRIVATE LOCAL FUNDS						73,000	73,000
TOTAL						730,000	730,000
04	TRANSPORTATION						
01	DEPARTMENT OF TRANSPORTATION						
03	PROJECT DEVELOPMENT DIVISION						
09	MATCHING FUNDS						
08	BRIDGE REPLACEMENT						
41	AUDIT FUND SET ASIDE					8,109	
90	OTHER EXPENDITURES				9,103,266		9,103,266
TOTAL							9,111,375
TOTALLED SOURCE OF FUNDS FOR							
BRIDGE REPLACEMENT							
00 FEDERAL FUNDS						8,109,124	8,109,124
05 PRIVATE LOCAL FUNDS						1,002,251	1,002,251
TOTAL						9,111,375	9,111,375
04	TRANSPORTATION						
01	DEPARTMENT OF TRANSPORTATION						
03	PROJECT DEVELOPMENT DIVISION						
09	MATCHING FUNDS						
11	INTERSTATE-RRRR						
41	AUDIT FUND SET ASIDE					20,778	
90	OTHER EXPENDITURES				19,852,677		21,852,777
TOTAL							21,871,555
TOTALLED SOURCE OF FUNDS FOR							
INTERSTATE-RRRR							
00 FEDERAL FUNDS						18,877,978	20,777,977

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04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
09 MATCHING FUNDS					
11 INTERSTATE APPR					
HIGHWAY FUNDS					
TOTAL					
		993,577	1,093,578		
		19,871,555	21,871,555		
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
09 MATCHING FUNDS					
14 REQUESTED MAINTENANCE & REPAIR					
20 CURRENT EXPENSES					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
90 REQUESTED MAINTENANCE & REPAIR					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
REQUESTED MAINTENANCE & REPAIR					
FROM PRIVATE LOCAL FUNDS					
TOTAL					
		600,000	600,000		
		600,000	600,000		
		600,000	600,000		
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
09 MATCHING FUNDS					
15 DEMONSTRATION					
41 AUDIT FUND SET ASIDE					
90 OTHER EXPENDITURES					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
DEMONSTRATION					
00 FEDERAL FUNDS					
00 HIGHWAY FUNDS					
TOTAL					
		881,457	881,457		
		882,241	882,241		
		784,215	784,215		
		98,026	98,026		
		882,241	882,241		
04 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
09 MATCHING FUNDS					
16 DEMO DISCRETIONARY					
41 AUDIT FUND SET ASIDE					
90 OTHER EXPENDITURES					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
DEMO DISCRETIONARY					
		524,850	524,850		
		525,317	525,317		

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(CONT.)					
(CONT.)					
(CONT.)					
(CONT.)					
		16,895,803		16,895,803	
		16,895,803		16,895,803	
34 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
11 COMMUNITY ASSISTANCE					
01 APPORTIONMENT A & B					
HIGHWAY FUNDS					
TOTAL					
34 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
11 COMMUNITY ASSISTANCE					
02 STATE RECONSTRUCTION					
		339,500		339,500	
90 STATE AID RECONSTRUCTION					
TOTAL					
		339,500		339,500	
ESTIMATED SOURCE OF FUNDS FOR					
STATE RECONSTRUCTION					
HIGHWAY FUNDS					
TOTAL					
		339,500		339,500	
34 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
11 COMMUNITY ASSISTANCE					
03 STATE AID CONSTRUCTION					
		145,500		145,500	
90 STATE AID CONSTRUCTION					
TOTAL					
		145,500		145,500	
ESTIMATED SOURCE OF FUNDS FOR					
STATE AID CONSTRUCTION					
HIGHWAY FUNDS					
TOTAL					
		145,500		145,500	
34 TRANSPORTATION					
01 DEPARTMENT OF TRANSPORTATION					
03 PROJECT DEVELOPMENT DIVISION					
11 COMMUNITY ASSISTANCE					
04 STATE BRIDGE AID					
		533,500		533,500	
90 STATE BRIDGE AID					
TOTAL					
		533,500		533,500	
ESTIMATED SOURCE OF FUNDS FOR					
STATE BRIDGE AID					
HIGHWAY FUNDS					
TOTAL					
		533,500		533,500	

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04 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 03 PROJECT DEVELOPMENT DIVISION
 11 COMMUNITY ASSISTANCE
 04 STATE BRIDGE AID

IN THE EVENT APPROPRIATED STATE FUNDS FOR ANY CLASS OF EXPENDITURE WHICH IS TO BE USED TO QUALIFY FOR ANY FEDERAL OR OTHER FUNDS, AND THEREBY THE AMOUNT OF FEDERAL FUNDS ALLOCATED TO THE PROJECT, THE STATE APPROPRIATION FOR SAID CLASSES SHALL BE REDUCED IN PROPORTION TO THE AMOUNT THE FEDERAL FUNDS HAVE BEEN DESIGNATED. AND THE TOTAL APPROPRIATION SHALL BE REDUCED BY THE SUM OF THE REDUCTIONS IN FEDERAL FUNDS AND THE APPROPRIATE REDUCTION IN THE STATE APPROPRIATION

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PROJECT DEVELOPMENT DIVISION
 FEDERAL FUNDS
 HIGHWAY FUNDS
 OTHER FUNDS
 TOTAL

106,490,337
 55,247,617
 48,999,055
 2,246,665
 106,490,337

105,976,337
 56,179,370
 48,960,102
 2,246,665
 105,976,337

04 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 04 PUBLIC WORKS & CONSTRUCTION DIVISION
 01 ADMINISTRATION & SUPPORT

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 PERSONAL SERVICES - PERMANENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION & SUPPORT
 GENERAL FUND
 TOTAL

114,706
 1,800
 2,500
 55,000
 31,700
 10,000

210,296
 210,296
 210,296

114,906
 1,800
 2,500
 55,000
 31,700
 10,000

216,291
 216,291
 216,291

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04 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 02 PUBLIC WORKS & TRANS DIVISION
 03 PUBLIC WORKS BUREAU

10 PERSONAL SERVICES - PERMANENT
 19 PERMANENT EMPLOYEE OVERTIME
 20 CURRENT PAID
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 30 EQUIPMENT
 30 PERSONAL SERVICES - NON-BENEFIT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 ADMINISTRATIVE
 91 ASBESTOS ABATEMENT

791,507
 34,000
 33,000
 11,000
 6,800
 7,600
 50,000
 133,322
 20,000
 1,000
 73,699
 208,300

803,637

34,000

33,000

11,000

6,800

7,600

50,000

133,322

20,000

1,000

73,699

208,300

* PUBLIC WORKS - ASBESTOS ABATEMENT
 THE FUNDS IN THIS APPROPRIATION ARE FOR THE
 SOLE PURPOSE OF ERADICATION OF ASBESTOS IN ANY
 STATE OWNED FACILITY AND SHALL NOT BE
 TRANSFERRED OR EXPENDED FOR ANY OTHER PURPOSE
 AND SHALL NOT LAPSE UNTIL JUNE 30, 1991

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PUBLIC WORKS BUREAU
 02 PERSONAL SERVICES
 03 AGENCY INCOME
 GENERAL FUND
 TOTAL

1,502,128
 97,000
 97,000
 1,380,128
 1,502,128

1,527,734
 97,000
 97,000
 1,405,734
 1,527,734

04 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 02 PUBLIC WORKS & TRANS DIVISION
 03 PUBLIC TRANSIT BUREAU
 01 PUBLIC TRANSPORTATION

10 PERSONAL SERVICES - PERMANENT
 19 PERMANENT EMPLOYEE OVERTIME
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 30 EQUIPMENT
 41 ADMINISTRATIVE
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 ADMINISTRATIVE
 92 ADMINISTRATIVE OVERHEAD TO DOT

78,260
 3,000
 6,000
 3,000
 3,350
 18,690
 1,800
 1,000
 504,400
 25,818

79,515
 3,000
 6,000
 3,000
 3,350
 19,894
 2,250
 1,000
 504,400
 25,818

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04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION				(CONT)		
04 PUBLIC WORKS & TRANS DIVISION				(CONT)		
03 PUBLIC TRANSIT BUREAU				(CONT)		
01 PUBLIC TRANSPORTATION				(CONT)		
TOTAL					645,943	645,992
ESTIMATED SOURCE OF FUNDS FOR						
PUBLIC TRANSPORTATION						
00 FEDERAL FUNDS					645,943	645,992
TOTAL					645,943	645,992
04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
04 PUBLIC WORKS & TRANS DIVISION						
03 PUBLIC TRANSIT BUREAU						
02 ELDERLY MOBILITY						
20 CURRENT EXPENSES				1,500		
21 DEPARTMENTAL PERSONNEL				130		
22 STATE TRAVEL				400		
30 VEHICLES				185,124		
TOTAL					187,154	187,154
ESTIMATED SOURCE OF FUNDS FOR						
ELDERLY MOBILITY						
00 FEDERAL FUNDS					130,000	130,000
05 PRIVATE LOCAL FUNDS					5,000	5,000
GENERAL FUND					52,154	52,154
TOTAL					187,154	187,154
04 TRANSPORTATION						
01 DEPARTMENT OF TRANSPORTATION						
04 PUBLIC WORKS & TRANS DIVISION						
04 RAILROAD BUREAU						
10 PERSONAL SERVICES - PERMANENT				158,607		
18 PERMANENT EMPLOYEE OVERTIME				3,500		
20 DEPARTMENTAL PERSONNEL				500		
21 CURRENT EXPENSES				14,000		
22 RENTS & LEASES TO NON-STATE				5,000		
30 EQUIPMENT				3,100		
40 BENEFITS				3,460		
50 TRAVEL				8,000		
60 IN-STATE TRAVEL				1,000		
70 LONG-TERM TRAVEL				7,098		
80 ADMINISTRATIVE OVERHEAD TO DOT						
TOTAL					248,862	248,862
ESTIMATED SOURCE OF FUNDS FOR						
RAILROAD BUREAU						
GENERAL FUND					248,862	248,862
TOTAL					248,862	248,862

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 04 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 04 PUBLIC WORKS & TRANS DIVISION
 06 RAIL SAFETY BUREAU

 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 30 EQUIPMENT
 40 BENEFITS
 70 IN-STATE TRAVEL
 91 ADMINISTRATIVE OVERHEAD TO DOT
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 RAIL SAFETY BUREAU
 GENERAL FUND
 TOTAL

 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PUBLIC WORKS & TRANS DIVISION
 GENERAL FUND
 OTHER FUNDS
 TOTAL

 04 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 05 AERONAUTICS DIVISION
 01 ADMINISTRATION & SUPPORT

 10 PERSONAL SERVICES - PERMANENT
 11 SALARY OF DIRECTOR
 18 PERMANENT EMPLOYEE OVERTIME
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 30 EQUIPMENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 80 OUT-OF-STATE TRAVEL
 91 GRANTS TO AIRPORTS SPONSORS
 93 AIR NAVIAD MAINTENANCE
 96 STATION OPERATING FEE RETUR
 97 GRANTS-JOINT STATE AND FEDERAL
 98 CIVIL AIR PATROL GRANT
 99 ADMINISTRATIVE OVERHEAD TO DOT

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 77,540 77,927
 6,000 6,000
 3,000 3,000
 17,200 17,200
 8,000 8,000
 1,942 1,942
 116,516 120,071

 116,516 120,071
 116,516 120,071

 2,309,242 2,946,104

 775,943 775,943
 1,372,293 2,013,112
 157,000 157,000
 2,909,242 2,946,104

 262,171 265,303
 44,336 44,653
 1,500 1,500
 18,500 18,500
 12,121 12,121
 31,780 31,780
 6,970 6,970
 7,489 7,489
 7,084 7,084
 114,640 114,640
 15,093 15,093
 2,900 2,900
 3,000 3,000
 97,000 97,000
 82,588 82,588
 5,000 5,000

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104 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
05 AERONAUTICS DIVISION
01 ADMINISTRATION & SUPPORT

* THE AERONAUTICS DIVISION MAY ALLOCATE UP TO
02 AIRPORTS NOT LISTED IN THE NATIONAL PLAN
OF INTEGRATED AIRPORT SYSTEMS. IN MAKING ALLO-
CATIONS THE AERONAUTICS DIVISION SHALL GIVE
DUE CONSIDERATION TO AIRPORTS UNDER CON-
STRUCTION, AIRPORTS WITH UNPAVED SURFACES,
AIRPORTS PROVIDING SERVICES INCLUDING PAVEMENT,
ACTIVITY SERVICES AVAILABLE, TYPE OF AVIATION
ACTIVITY, ANNUAL AIRCRAFT OPERATION, POPULATION
SERVED, NUMBER OF BASED AIRCRAFT, DAYS OF OPERA-
TION, OPERATING EXPENSE DEFICIT, ETC.

** STATE FUNDS GRANTED TO AIRPORTS, WHICH ARE NOT
ELIGIBLE FOR FEDERAL FUNDS, SHALL BE MATCHED ANY
WITH LOCAL FUNDS ON A 50/50 BASIS. THERE
SHALL BE NO STATE FUNDING OF AIRPORTS UNLESS THE
STATE UNDER AGREEMENT WITH THE AIRPORT SHALE
THE AGREEMENT WITH THE STATE SUBJECT TO
THE APPROVAL OF THE GOVERNOR AND COUNCIL.
GUARANTEEING THAT THE STATE GRANT SHALL BE
REFUNDED IF THE AIRPORT IS ABANDONED OR DIS-
CONTINUED OR ANY OTHER USE WITHIN 10 YEARS OF THE
STATE GRANT.

TOTAL	885,107	875,690
ESTIMATED SOURCE OF FUNDS FOR		
ADMINISTRATION & SUPPORT	885,107	875,690
GENERAL FUND		
TOTAL		
04 TRANSPORTATION		
01 DEPARTMENT OF TRANSPORTATION		
05 AERONAUTICS DIVISION		
02 AIRPORT DEVELOPMENT		
01 FEDERAL STATE PROJECTS		
90 FEDERAL/STATE PROJECTS	1,900,000	1,900,000
TOTAL	1,900,000	1,900,000
ESTIMATED SOURCE OF FUNDS FOR		
FEDERAL STATE PROJECTS	1,900,000	1,900,000
00 FEDERAL FUNDS	100,000	100,000
GENERAL FUND	1,900,000	1,900,000
TOTAL		

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03 TRANSPORTATION (CONT)
 01 DEPARTMENT OF TRANSPORTATION (CONT)
 05 AERONAUTICS DIVISION (CONT)
 02 AIRPORT DEVELOPMENT (CONT)
 01 FEDERAL STATE PROJECTS

THE FUNDS IN THIS APPROPRIATION SHALL NOT BE TRANSFERRED OR EXPENDED FOR ANY OTHER PROJECTS AND SHALL BE EXPENDED ONLY FOR PROJECTS WHEN THE FIVE PERCENT OF THE STATE MATCHING FUNDS SHALL BE EQUAL TO THE FIVE PERCENT REQUIREMENTS HAVE BEEN MET AND CERTIFIED TO THE GOVERNOR AND COUNCIL

THE AERONAUTICS DIVISION SHALL REPORT QUARTERLY TO THE CAPITAL BUDGET DEVELOPMENT COMMITTEE THE STATUS OF ALL FEDERAL-LOCAL AIRPORT PROJECTS. IN THIS APPROPRIATION FOR FISCAL YEAR 1990, 50 PERCENT OF THE STATE MATCHING FUNDS SHALL BE ALLOCATED IN THE AMOUNT OF \$25,000 TO THE CITY OF MANCHESTER AND RESIDUAL TO THE CITY OF LEBANON FOR FISCAL YEAR 1991. 50 PERCENT OF THE STATE MATCHING FUNDS SHALL BE ALLOCATED IN THE AMOUNT OF \$25,000 TO THE CITY OF MANCHESTER AND \$25,000 TO THE CITY OF LEBANON TO MATCH THEIR FIRST PRIORITY PROJECTS.

03 TRANSPORTATION
 01 DEPARTMENT OF TRANSPORTATION
 05 AERONAUTICS DIVISION
 02 AIRPORT DEVELOPMENT
 01 FEDERAL LOCAL PROJECTS
 90 NON-STATE AID AIRPORT PROJEC

2,000,000 2,000,000
 2,000,000 2,000,000
 2,000,000 2,000,000

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FEDERAL LOCAL PROJECTS
 00 FEDERAL FUNDS
 TOTAL

4,785,107 4,775,690

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 AERONAUTICS DIVISION
 FEDERAL FUNDS
 GENERAL FUNDS
 TOTAL

3,800,000 3,800,000
 3,985,107 3,985,107
 4,775,690 4,775,690

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04 TRANSPORTATION							
01 DEPARTMENT OF TRANSPORTATION							
06 DEBT SERVICE							
43 DEBT SERVICE (TRANSPORT)					9,988,890		9,485,414
TOTAL					9,988,890		9,485,414
ESTIMATED SOURCE OF FUNDS FOR							
DEBT SERVICE							
HIGHWAY FUNDS					9,988,890		9,485,414
TOTAL					9,988,890		9,485,414
04 TRANSPORTATION							
01 DEPARTMENT OF TRANSPORTATION							
07 OTHER HIGHWAY FUND							
01 SPECIAL RETIREMENT							
90 SPECIAL RETIREMENT					1,253,173		1,256,481
96 HOSPITALIZATION GRP LIFE INS							
TOTAL					1,253,173		1,256,481
ESTIMATED SOURCE OF FUNDS FOR							
SPECIAL RETIREMENT					1,253,173		1,256,481
HIGHWAY FUNDS					1,253,173		1,256,481
TOTAL					1,253,173		1,256,481
04 TRANSPORTATION							
01 DEPARTMENT OF TRANSPORTATION							
07 OTHER HIGHWAY FUND							
02 ACCIDENT & COMPENSATION							
45 PERSONNEL SVCS-NON BENEFIT							
90 ACCIDENT & COMPENSATION					314,849		314,849
55 MEDICAL COSTS							
TOTAL					314,849		314,849
ESTIMATED SOURCE OF FUNDS FOR							
ACCIDENT & COMPENSATION					314,849		314,849
HIGHWAY FUNDS					314,849		314,849
TOTAL					314,849		314,849

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04 TRANSPORTATION 01 DEPARTMENT OF TRANSPORTATION 07 OTHER HIGHWAY SUPPORT 03 GENERAL FUND OVERHEAD					
40 INDIRECT COSTS	E	886,207		954,314	
TOTAL					954,314
ESTIMATED SOURCE OF FUNDS FOR		886,207			954,314
GENERAL FUND OVERHEAD					954,314
HIGHWAY FUNDS		886,207			954,314
TOTAL					
04 TRANSPORTATION 01 DEPARTMENT OF TRANSPORTATION 07 OTHER HIGHWAY SUPPORT 04 TRANSFERS TO OTHER AGENCIES					
49 TRANS TO OTHER STATE AGYS		34,172,078		34,111,869	
TOTAL			34,172,078		34,111,869
ESTIMATED SOURCE OF FUNDS FOR			34,172,078		34,111,869
TRANSFERS TO OTHER AGENCIES			34,172,078		34,111,869
HIGHWAY FUNDS					
TOTAL					
TOTAL			36,638,073		36,924,258
ESTIMATED SOURCE OF FUNDS FOR					36,924,258
OTHER HIGHWAY SUPPORT					36,924,258
HIGHWAY FUNDS					
TOTAL					
04 TRANSPORTATION 01 DEPARTMENT OF TRANSPORTATION 08 TURNPIKES 01 ADMINISTRATION & SUPPORT					
10 PERSONAL SERVICES - PERMANENT	*	710,290		725,805	
18 PERMANENT EMPLOYEE OVERTIME		53,000		53,000	
30 EQUIPMENT COSTS	E	15,322		15,322	
44 DEBT SERVICE (OTHER AGYS)		21,475,767		100,000	
49 TRANS TO OTHER STATE AGYS		1,505,546		30,232,653	
60 BENEFITS		175,856		1,480,344	
80 OUT-OF-STATE TRAVEL		335,244		15,000	
91 PAYMENT TO DISTRICT 6		116,587		322,007	
				116,587	

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04 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
08 TURNPIKES & SUPPORT
01 ADMINISTRATION & SUPPORT

(CONT.)
(CONT.)
(CONT.)

* POSITION 00714 AND 00715 MAY NOT BE FILLED
ON BUDGET. AUTOMATED TOLL EQUIPMENT BECOMES
OPERATIONAL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
DEPARTMENT OF TRANSPORTATION
TURNPIKES FUNDS
TOTAL

24,502.412

33,282.681

04 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
08 TURNPIKES
02 CENTRAL TURNPIKE
01 CENTRAL OPERATIONS

10 PERSONAL SERVICES - PERMANENT *
18 PERMANENT EMPLOYEE OVERTIME
19 HOLIDAY PAY
20 CURRENT EXPENSES
21 RENTALS & LEASES
22 RENTALS & LEASES - NON-STATE
23 RENTALS & LEASES - STATE
24 MAINT. OTHER THAN BLDGS&RDS D
30 EQUIPMENT
38 CONTRACTUAL MAINT-BLDGS&RDS
48 CONTRACTUAL MAINT-BLDGS&RDS G
50 PERSONAL SERVICES - OTHER
51 PERSONAL SERVICES - OTHER
70 IN-STATE TRAVEL

1,630,371
7,000
59,840
74,000
350,898
15,000
147,000
29,375
5,000
225,000
42,000
3,492

1,939,827
7,000
75,850
86,196
617,298
147,000
147,000
39,725
5,000
240,882
503,492
3,492

* THE FOLLOWING POSITIONS BECOME AVAILABLE 4/1/91
UPON CERTIFICATION FROM THE AGENCY THAT THE
NASHUA CIRCUMFERENTIAL TOLL WILL BE OPERATIONAL
BY 8/30/91: 00680, 00681, 00682, 00683, 00684,
00685, 00686, 00687, 00688, 00689, 00690, 00691,
00692, 00693, 00694, 00695, 00696, 00697

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
CENTRAL OPERATIONS
TURNPIKES FUNDS
TOTAL

2,966.551

3,663.891

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
CENTRAL OPERATIONS
TURNPIKES FUNDS
TOTAL

2,966.551

3,663.891

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04 TRANSPORTATION					
01 CURRENT OF TRANSPORTATION					
08 TURNPIKES					
02 CENTRAL MAINTENANCE					
10 PERSONAL SERVICES - PERMANENT	*	703,323		886,790	
19 PERMANENT EMPLOYEE OVERTIME		100,000		100,000	
19 HOLIDAY PAY		19,233		55,404	
20 CURRENT EXPENSES		434,050		455,404	
22 HOLIDAY LEAVES TO NON-STATE		145,000		125,499	
22 HOLIDAY LEAVES TO NON-STATE		145,000		175,000	
24 MAINT OTHER THAN BLDG&GRND	D	10,000		10,000	
30 EQUIPMENT		237,395		210,900	
50 PERSONAL SERVICES - OTHER		134,320		233,250	
60 BENEFITS TRAVEL		191,813		233,250	
90 RENEWAL & REPLACEMENT		800,000		840,000	
92 DAMAGE CLAIMS		485		485	
* THE FOLLOWING POSITIONS BECOME AVAILABLE 4/1/91					
UPON CERTIFICATION FROM THE AGENCY THAT THE					
NASHUA CIRCUMFERENTIAL TOLL WILL BE OPERATIONAL					
81,870,931.00686-00689 00700-00708.00702.					
00710-00711.00705-00706.00707-00708.00709.					
00710,00711					
TOTAL		2,796,115		3,271,579	
ESTIMATED SOURCE OF FUNDS FOR					
TRANSPORTATION MAINTENANCE		2,796,115		3,271,579	
TURNPIKES FUNDS		2,796,115		3,271,579	
TOTAL					
04 TRANSPORTATION					
01 CURRENT OF TRANSPORTATION					
08 TURNPIKES					
03 BLUE STAR MEMORIAL HIGHWAY					
01 EAST NH TPK BLUE STAR OPERATIO					
10 PERSONAL SERVICES - PERMANENT		732,331		744,030	
19 PERMANENT EMPLOYEE OVERTIME		9,240		9,240	
19 HOLIDAY PAY		40,000		40,000	
20 CURRENT EXPENSES		60,000		60,000	
22 HOLIDAY LEAVES TO NON-STATE		152,000		152,000	
22 HOLIDAY LEAVES TO NON-STATE		152,000		155,000	
24 MAINT OTHER THAN BLDG&GRND	D	2,000		2,000	
30 EQUIPMENT		18,775		20,675	
48 CONTRACTUAL MAINT-BLDG&GRND	G	207,000		210,000	
50 PERSONAL SERVICES - OTHER		190,061		206,450	
60 BENEFITS TRAVEL		1,800		1,800	
70 IN-STATE TRAVEL					
TOTAL		1,648,210		1,804,501	

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04 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
02 TURNPIKES
03 BLUE STAR MEMORIAL HIGHWAY
01 EAST NH TPK BLUE STAR OPERATIO

ESTIMATED SOURCE OF FUNDS FOR
TURNPIKES
TOTAL

04 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
02 TURNPIKES
03 BLUE STAR MEMORIAL HIGHWAY
02 EAST NH TPK BLUE STAR MAINTENA

10 PERSONAL SERVICES - PERMANENT
18 PERMANENT EMPLOYEE OVERTIME
19 HOLIDAY PAY
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
23 RENTS & LEASES TO WATER
24 MAINT. ELECTRICITY & WATER
30 EQUIPMENT
47 OMA FORCES MAINT-BLOGGPNDS
48 CONTRACTUAL MAINT-BLOGGPNDS
50 PERSONAL SERVICES - OTHER
60 BENEFIT SERVICES
70 IN STATE TRAVEL
90 RENEWAL & REPLACEMENT
92 DAMAGE CLAIMS

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
EAST NH TPK BLUE STAR MAINTENA
TOTAL

04 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
02 TURNPIKES
03 ROLLING TURNPIKE
01 EAST NH TPK SHOULD TPK OPERATI

10 PERSONAL SERVICES - PERMANENT
18 PERMANENT EMPLOYEE OVERTIME
19 HOLIDAY PAY
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
23 RENTS & LEASES TO WATER
24 MAINT. ELECTRICITY & WATER
30 EQUIPMENT
48 CONTRACTUAL MAINT-BLOGGPNDS

(CONT.)
(CONT.)
(CONT.)
(CONT.)

1 648 210
1 648 210

1 804 501
1 804 501

358,829
48,834
25,400
255,100
202,000
19,000
119,980
145,750
3,000
3,600
105,100
102,611
805,500
485

1,947,527
2,018,204

1,947,527
2,018,204

491,886
3,000
45,000
145,000
168,238
30,735
1,000
11,245
1,000

483,354
15,000
39,000
130,133
27,735
15,485
1,000

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34	TRANSPORTATION							
01	DEPARTMENT OF TRANSPORTATION							
08	TURNPIKES							
04	SPALDING TURNPIKE							
01	EAST NH TPK SPAULD TPK OPERATI							
	(CONT.)							
50	PERSONAL SERVICES - OTHER							163,000
60	BENEFITS							134,795
70	IN-STATE TRAVEL							1,677
					1,008,125			1,064,376
					1,008,125			1,064,376
					1,008,125			1,064,376
34	TRANSPORTATION							
01	DEPARTMENT OF TRANSPORTATION							
04	TURNPIKES							
02	SPALDING TURNPIKE							
02	EAST NH TPK SPAULD TPK MAINT							
10	PERSONAL SERVICES - PERMANENT							260,942
18	PERMANENT EMPLOYEE OVERTIME							49,102
13	HOLIDAY PAY							10,500
22	RENTS & LEASES							192,544
22	RENTS & LEASES							58,660
23	HEAT, ELECTRICITY & WATER							28,705
24	MAINT OTHER THAN BLDG&GRNS							13,000
30	EQUIPMENTAL MAINT-BLDG&GRN							13,000
40	EQUIPMENTAL MAINT-BLDG&GRN							12,500
50	PERSONAL SERVICES - OTHER							15,100
60	BENEFITS							72,017
70	IN-STATE TRAVEL							1
90	RENEWAL & REPLACEMENT							835,000
					1,650,206			1,656,736
					1,650,206			1,656,736
					1,650,206			1,656,736

* THE EXPANSION OF PERSONNEL SHALL BE SUBJECT
TO THE RELOCATION OF THE TOLL BOOTHS NEAR
EXITS 6 AND 11 ON THE SPAULDING TURNPIKE

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
EAST NH TPK SPAULD TPK OPERATI
TURNPIKES FUNDS
TOTAL

34. TRANSPORTATION
01. DEPARTMENT OF TRANSPORTATION
04. TURNPIKES
02. SPALDING TURNPIKE
02. EAST NH TPK SPAULD TPK MAINT

10. PERSONAL SERVICES - PERMANENT
18. PERMANENT EMPLOYEE OVERTIME
13. HOLIDAY PAY
22. RENTS & LEASES
22. RENTS & LEASES
23. HEAT, ELECTRICITY & WATER
24. MAINT OTHER THAN BLDG&GRNS
30. EQUIPMENTAL MAINT-BLDG&GRN
40. EQUIPMENTAL MAINT-BLDG&GRN
50. PERSONAL SERVICES - OTHER
60. BENEFITS
70. IN-STATE TRAVEL
90. RENEWAL & REPLACEMENT

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
EAST NH TPK SPAULD TPK MAINT
TURNPIKES FUNDS
TOTAL

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991-----

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04 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
08 TURNPIKES
05 TURNPIKE EXPANSION

20 CURRENT EXPENSES 65,500
24 EQUIPMENT 125,000
50 EQUIPMENT - BLDGS&GNDS 125,000
50 EQUIPMENT - OTHER 1 575,233
50 PERSONAL SERVICES - OTHER 378,056
60 BENEFITS 18,000
70 IN-STATE TRAVEL 18,000
80 OUT-OF-STATE TRAVEL 1 908,000
90 ADMINISTRATIVE OVERHEAD 4,170,889

TOTAL 3,533,207
ESTIMATED SOURCE OF FUNDS FOR
TURNPIKE EXPANSION
01 AGENCY INCOME 3,533,207
TOTAL 3,533,207

TOTAL 40,052,353
ESTIMATED SOURCE OF FUNDS FOR
TURNPIKES
TURNPIKES FUNDS 36,519,146
OTHER FUNDS 3,533,207
TOTAL 40,052,353

50,332,857
46,761,968
50,332,857

275,566,258

286,194,550

TOTAL 59,823,560
ESTIMATED SOURCE OF FUNDS FOR
EQUIPMENT OF TRANSPORTATION
FEDERAL FUNDS 2,861,406
GENERAL FUND 163,565,449
HIGHWAY FUNDS 13,596,697
TURNPIKES FUNDS 13,596,697
TOTAL 275,566,258

59,755,282
163,590,391
46,761,968
13,598,127
286,194,550

04 TRANSPORTATION
01 DEPARTMENT OF TRANSPORTATION
02 ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF DIRECTOR
20 CURRENT EXPENSES
23 HEAT, ELECTRICITY & WATER
24 MAINT. OTHER THAN BLDGS&GNDS
48 CONTRACTUAL MAINT-BLDGS&GNDS

48,556
40,747
48,069
2,775
150
2,100

48,576
41,222
2,775
2,775
150
700

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04 TRANSPORTATION						
02 PORT AUTHORITY						
01 ADMINISTRATION						
				(CONT.)		
				(CONT.)		
				(CONT.)		
50 PERSONAL SERVICES - OTHER						
60 BENEFITS					892	
70 IN-STATE TRAVEL					20,148	21,551
80 OUT-OF-STATE TRAVEL					7,000	8,000
TOTAL					171,448	149,429
ESTIMATED SOURCE OF FUNDS FOR						
ADMINISTRATION					171,448	149,429
GENERAL FUND					171,448	149,429
TOTAL						
04 TRANSPORTATION						
02 PORT AUTHORITY						
02 PORTSMOUTH TAXES						
90 PAYMENT IN LIEU OF TAXES, PORT						
TOTAL					30,000	30,000
ESTIMATED SOURCE OF FUNDS FOR						
PORTSMOUTH TAXES					30,000	30,000
GENERAL FUND					30,000	30,000
TOTAL						
04 TRANSPORTATION						
02 PORT AUTHORITY						
03 FOREIGN TRADE ZONE						
20 CURRENT EXPENSES						
80 OUT-OF-STATE TRAVEL					2,000	2,000
TOTAL					600	600
ESTIMATED SOURCE OF FUNDS FOR						
FOREIGN TRADE ZONE					2,600	2,600
06 AGENCY INCOME					2,600	2,600
TOTAL						

HE 0200		PAGE	234	05/04/89	----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
04 TRANSPORTATION								
02 PORT AUTHORITY								
04 HARBOF MANAGEMENT PROGRAM								
D								
10 PERSONAL SERVICES - PERMANENT	24,336				25,409			
20 CURRENT EXPENSES	6,999				7,461			
22 RENTS & LEASES TO NON-STATE	450				450			
23 ELECTRICITY & WATER	2,500				2,800			
24 EQUIPMENT	2,500				2,500			
50 PERSONAL SERVICES - OTHER	42,123				40,540			
60 BENEFITS	9,819				9,199			
70 IN-STATE TRAVEL	2,768				2,311			
TOTAL	90,000				90,000			
ESTIMATED SOURCE OF FUNDS FOR								
HARBOR MANAGEMENT PROGRAM								
06 AGENCY INCOME	7,000				7,000			
08 AGENCY INCOME	83,000				83,000			
TOTAL	90,000				90,000			
TOTAL	294,048				272,029			
ESTIMATED SOURCE OF FUNDS FOR								
PORT AUTHORITY								
GENERAL FUND	201,438				179,439			
OTHER FUNDS	32,600				32,600			
TOTAL	234,038				212,039			
TOTAL	275,860,306				246,466,579			
ESTIMATED SOURCE OF FUNDS FOR								
TRANSPORTATION								
GENERAL FUND	59,823,560				53,755,262			
OTHER FUNDS	3,162,654				17,000,391			
TOTAL	163,565,449				167,000,354			
HIGHWAY FUNDS	36,739,295				16,717,968			
TURF FUNDS	13,607,275				13,607,275			
OTHER FUNDS	275,860,306				286,466,579			
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
HEALTH AND SOCIAL SERVICES								
01 DEPT. OF HEALTH AND HUMAN SVCS								
01 HEALTH & HUMAN SVCS COMMISSIONER								
01 ADMINISTRATION								
10 PERSONAL SERVICES - PERMANENT								
11 SALARY OF COMMISSIONER								
12 SALARY OF DEPUTY COMMISSIONER								
20 CURRENT EXPENSES								
28 TRANSFERS TO GEN L SERVICES								
TOTAL								
275,087								
64,406								
17,595								
20,134								
20,641								
278,609								
64,406								
17,595								
20,641								
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24,336
6,999
3,450
2,000
42,133
9,199
2,311

90,000

7,000
83,000
90,000

272,029

123,429
92,600
272,029

286,466,579

53,755,362
3,168,231
163,090,391
46,560,379
286,466,579

278,609
64,406
36,011
20,641

275,087
64,406
36,011
20,594

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 01 HLTH & HUMAN SVCS COMMISSIONER
 01 ADMINISTRATION

(CONT)
 (CONT)
 (CONT)
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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

60 BENEFITS		82,323	
70 IN-STATE TRAVEL		2,000	
80 OUT-OF-STATE TRAVEL		5,000	
91 CHILD CARE PROVIDER TRAINING	0	100,000	
92 CHILD CARE PROVIDER LOAN FUND		150,000	

* THE FUNDS IN THIS APPROPRIATION SHALL BE NON-CAPING AND SHALL BE USED ONLY FOR THE PROVISION OF CHILD CARE PROVIDER GUARANTEED LOAN FUND AS PROVIDED FOR IN SB 1777-A.

TOTAL			738,990
ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION		740,013	
GENERAL FUND		740,013	
TOTAL			738,990

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 01 HLTH & HUMAN SVCS COMMISSIONER
 02 ALCOHOL AND DRUG ABUSE PREVENT
 01 ADMINISTRATION & SUPPORT

10 PERSONAL SERVICES - PERMANENT		222,214	
11 SALARY OF DIRECTOR		44,653	
20 CURRENT EXPENSES		2,365	
28 TRANSFERS TO GEN'L SERVICES	0	24,000	
30 EQUIPMENT		24,000	
40 REPAIRS		64,048	
70 IN-STATE TRAVEL		4,676	
80 OUT-OF-STATE TRAVEL		1,200	
90 EDUCATIONAL TRAINING		1,000	

TOTAL			366,768
ESTIMATED SOURCE OF FUNDS FOR ADMINISTRATION & SUPPORT		355,091	
GENERAL FUND		355,091	
TOTAL			366,768

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05. HEALTH AND SOCIAL SERVICES								
01. DEPT. OF HEALTH AND HUMAN SVCS								
01. HLTH & HUMAN SVCS COMMISSIONER								
02. ALCOHOL AND DRUG ABUSE PREVENT								
02. TREATMENT & PREVENTION-STATE								
10. PERSONAL SERVICES - PERMANENT								
20. CURRENT EXPENSES								
28. TRANSFERS TO GEN L SERVICES								
60. BENEFITS								
70. IN-STATE TRAVEL								
80. OUT-OF-STATE TRAVEL								
90. SPECIAL OUTREACH GRANTS - OADA								
97. COMMUNITY PROGRAMS								
TOTAL					1,897,559		1,933,379	
ESTIMATED SOURCE OF FUNDS FOR								
TREATMENT & PREVENTION-STATE								
02. HIGHWAY FUNDS								
GENERAL FUND								
TOTAL					389,699		396,051	
					1,507,860		1,537,328	
					1,897,559		1,933,379	
05. HEALTH AND SOCIAL SERVICES								
01. DEPT. OF HEALTH AND HUMAN SVCS								
01. HLTH & HUMAN SVCS COMMISSIONER								
02. ALCOHOL AND DRUG ABUSE PREVENT								
03. TREATMENT & PREVENTION-FEDERAL								
10. PERSONAL SERVICES - PERMANENT								
20. CURRENT EXPENSES								
22. RENTS & LEASES TO NON-STATE								
24. MAINT. OTHER THAN BLDGGRNDS								
28. TRANSFERS TO GEN L SERVICES								
38. EQUIPMENT								
40. INDIRECT COSTS								
41. AUDIT FUND SET ASIDE								
42. TRANSFER TO COLA								
50. PERSONAL SERVICES - OTHER								
60. BENEFITS								
70. IN-STATE TRAVEL								
80. OUT-OF-STATE TRAVEL								
97. COMMUNITY GRANTS								
TOTAL					1,186,339		1,190,760	
ESTIMATED SOURCE OF FUNDS FOR								
TREATMENT & PREVENTION-FEDERAL								
00. FEDERAL FUNDS								
TOTAL					1,186,339		1,190,760	
					1,186,339		1,190,760	

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
01 HLTH & HUMAN SVCS COMMISSIONER					
02 ALCOHOL AND DRUG ABUSE PREVENT					
04 TIERRELL HOUSE					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	109,500				112,280
20 FUTURE INDEMNITIES	23,675				14,001
23 HEAT ELECTRICITY & WATER	8,356				23,675
48 CONTRACTUAL MAINT-BLDGGRND	435				8,356
50 PERSONAL SERVICES - OTHER	26,577				435
70 BENEFIT TRAVEL	1,850				27,212
80 OUT-OF-STATE TRAVEL	1,200				2,000
TOTAL	184,573				190,809
ESTIMATED SOURCE OF FUNDS FOR					
01 DEPT OF HEALTH AND HUMAN SVCS					
01 HLTH & HUMAN SVCS COMMISSIONER					
02 ALCOHOL AND DRUG ABUSE PREVENT					
05 CERTIFICATION / TRAINING					
20 CURRENT EXPENSES	678				678
70 IN-STATE TRAVEL	1,950				1,950
80 OUT-OF-STATE TRAVEL	2,635				2,635
TOTAL	5,263				5,263
ESTIMATED SOURCE OF FUNDS FOR					
CERTIFICATION / TRAINING					
03 REVOLVING FUNDS					
TOTAL	5,263				5,263
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
01 HLTH & HUMAN SVCS COMMISSIONER					
02 ALCOHOL AND DRUG ABUSE PREVENT					
06 ALCOHOL EDUCATION PROGRAM					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	24,336				24,336
20 FUTURE INDEMNITIES	6,150				6,150
70 BENEFIT TRAVEL	1,225				1,225
80 OUT-OF-STATE TRAVEL	1,750				1,750
TOTAL	39,058				39,302
ESTIMATED SOURCE OF FUNDS FOR					
ALCOHOL EDUCATION PROGRAM					

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 05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 01 HLTH & HUMAN SVCS COMMISSIONER
 03 DEVELOPMENTAL DISABIL COUNCIL

 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 40 TRANSFERS TO NON-STATE
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 42 TRANSFER TO COLA
 46 CONSULTANTS
 50 EQUIPMENT
 60 BENEFITS SERVICES - OTHER
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 COUNCIL EXPENDITURES & CONTRAC

 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DEVELOPMENTAL DISABIL COUNCIL
 00 FEDERAL FUNDS
 TOTAL

 05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 01 HLTH & HUMAN SVCS COMMISSIONER
 03 HEALTH & SOCIAL SERVICES
 01 ADMINISTRATION
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 40 TRANSFERS TO NON-STATE
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 42 TRANSFER TO COLA
 46 CONSULTANTS
 50 EQUIPMENT
 60 BENEFITS SERVICES - OTHER
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION
 00 FEDERAL FUNDS
 GENERAL FUND
 TOTAL

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

 121,325 123,341
 18,851 18,851
 18,972 18,972
 8,382 8,382
 9,196 9,196
 2,300 2,300
 2,259 1,568
 43,145 43,672
 31,213 32,843
 4,961 4,961
 12,128 12,128
 36,684 31,379

 300,000 300,000
 300,000 300,000
 300,000 300,000

 96,809 99,006
 1,498,735 1,400,400
 1,498,735 1,495,932
 484,644 487,378
 8,423 8,423
 1,291 1,229
 11,400 11,400
 23,138 24,633
 11,600 12,500
 9,600 9,600

 3,488,362 3,550,767

 850,845 880,806
 2,569,861 2,569,861
 3,488,362 3,550,767

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05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
04 FISCAL SERVICES								
02 FINANCIAL SERVICES								
10 PERSONAL SERVICES - PERMANENT								
	D		1,017,337			1,027,947		
41 AUDIT FUND SET ASIDE	D		335			342		
42 TRANSFER TO COLA			4 765			4 822		
60 BENEFITS			233,988			246,707		
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
FINANCIAL SERVICES								
00 FEDERAL FUNDS								
GENERAL FUND								
TOTAL								
1,256,425								
1,279,818								
357,622								
357,622								
1,279,818								
05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
04 FISCAL SERVICES								
03 MANAGEMENT SYSTEMS								
10 PERSONAL SERVICES - PERMANENT								
			1,045,638			1,058,980		
20 CURRENT EXPENSES			124,000			124,000		
28 TRAINING PERSONNEL BLDGRNDS			1,715,505			1,715,505		
41 AUDIT FUND SET ASIDE	A		3,432			3,447		
42 TRANSFER TO COLA	D		4,979			5,025		
60 BENEFITS	D		240,867			240,867		
90 OTHER SYSTEMS COSTS			416,217			389,628		
91 EDP EQUIPMENT RENTALS								
TOTAL								
3,680,368								
3,473,140								
ESTIMATED SOURCE OF FUNDS FOR								
MANAGEMENT SYSTEMS								
00 FEDERAL FUNDS								
GENERAL FUND								
TOTAL								
1,071,138								
2,609,230								
3,680,368								
05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
04 FISCAL SERVICES								
04 PERSONNEL TRAINING								
10 PERSONAL SERVICES - PERMANENT								
			287,209			282,668		
41 AUDIT FUND SET ASIDE			88			1,90		
42 TRANSFER TO COLA			1,053			1,072		
60 BENEFITS			66,058			66,058		
90 PURCHASED TRAINING			85,993			99,323		
TOTAL								
444,401								
463,291								

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05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF HEALTH AND HUMAN SVCS COMMISSIONER

FEDERAL FUNDS
GENERAL AND
OTHER FUNDS
TOTAL

05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF PUBLIC HEALTH SERVICES
03 ADMINISTRATION & SUPPORT
04 OFFICE OF DIRECTOR

10 PERSONAL SERVICES - PERMANENT
11 SALARY DIRECTOR OF DPHS
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
28 TRANSFERS TO GEN L SERVICES
30 EQUIPMENT
40 INDIRECT COSTS
41 AUDIT FUND SET ASIDE
50 PERSONAL SERVICES - OTHER
60 BENEFITS
70 TRAVEL
80 OUT-OF-STATE TRAVEL
90 GRANTS SUBSIDIES CONTRIBUTIONS

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
OFFICE OF DIRECTOR
00 FEDERAL FUNDS
GENERAL FUND
TOTAL

05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF PUBLIC HEALTH SERVICES
03 ADMINISTRATION & SUPPORT
04 INFORMATION SERVICES

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
28 TRANSFERS TO GEN L SERVICES
30 EQUIPMENT
40 INDIRECT COSTS
41 AUDIT FUND SET ASIDE
50 PERSONAL SERVICES - OTHER
60 BENEFITS

(CONT)
(CONT)
(CONT)
(CONT)

4,067,294
10,200,626
15,357,833

4,138,105
10,099,864
15,365,856

287,190
62,896
30,798
2,507
8,000
11,844
4,135
80,998
1,210
2,850
16,550

287,781
62,896
30,798
2,507
8,000
12,274
4,135
80,998
1,210
2,850
29,936

533,023

549,183

131,093
401,930
533,023

135,505
413,678
549,183

373,820
47,866
45,513
4,287
2,921
51,500
91,305

381,376
47,761
45,203
4,516
2,983
1,000
95,377

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05. HEALTH AND SOCIAL SERVICES							
02. DIV OF PUBLIC HEALTH SERVICES							
01. ADMINISTRATION & SUPPORT							
03. INFORMATION SERVICES							
70. IN-STATE TRAVEL				1,000		1,000	
80. OUT-OF-STATE TRAVEL							
TOTAL				629,994		640,231	
ESTIMATED SOURCE OF FUNDS FOR							
HEALTH AND SOCIAL SERVICES							
GENERAL FUND				629,994		640,231	
TOTAL				629,994		640,231	
05. HEALTH AND SOCIAL SERVICES							
02. DIV OF PUBLIC HEALTH SERVICES							
01. HEALTH PROTECTION ADMIN							
10. PERSONAL SERVICES - PERMANENT				43,705		43,705	
20. CURRENT EXPENSES				1,788		1,354	
40. INDIRECT COSTS				5,601		5,597	
41. AUDIT FUND SET ASIDE				62		62	
50. BENEFITS				10,052		10,438	
60. IN-STATE TRAVEL				1,000		978	
70. IN-STATE TRAVEL				500		500	
80. OUT-OF-STATE TRAVEL							
TOTAL				62,684		62,684	
ESTIMATED SOURCE OF FUNDS FOR							
HEALTH AND SOCIAL SERVICES							
GENERAL FUND				62,684		62,684	
TOTAL				62,684		62,684	
05. HEALTH AND SOCIAL SERVICES							
02. DIV OF PUBLIC HEALTH SERVICES							
02. HEALTH PROTECTION							
02. FACILITIES LICENSING							
10. PERSONAL SERVICES - PERMANENT				588,763		584,867	
20. CURRENT EXPENSES				41,473		52,465	
22. RENTS & LEASES TO NON-STATE				1,416		1,416	
28. TRANSFERS TO GEN'L SERVICES				8,400		8,400	
30. EQUIPMENT				8,000		8,000	
40. INDIRECT COSTS				51,158		53,523	
41. AUDIT FUND SET ASIDE				158		144	
60. BENEFITS				135,415		142,768	
70. IN-STATE TRAVEL				66,233		69,548	
80. OUT-OF-STATE TRAVEL				20,000		20,000	
TOTAL				921,519		953,142	
ESTIMATED SOURCE OF FUNDS FOR							
FACILITIES LICENSING							

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
03 HEALTH PROTECTION					
04 FACILITIES LICENSING					
00 FEDERAL FUNDS					
01 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDG&GRNDS					
28 TRANSFERS TO GEN L SERVICES					
40 INDIRECT COSTS					
46 CONSULTANTS					
50 PERSONAL SERVICES - PERMANENT					
60 BENEFITS					
70 IN-STATE TRAVEL					
93 CONTRACTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
00 FEDERAL FUNDS					
01 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDG&GRNDS					
28 TRANSFERS TO GEN L SERVICES					
40 INDIRECT COSTS					
46 CONSULTANTS					
50 PERSONAL SERVICES - PERMANENT					
60 BENEFITS					
70 IN-STATE TRAVEL					
93 CONTRACTS					
TOTAL					
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
03 HEALTH PROTECTION					
04 FACILITIES LICENSING					
00 FEDERAL FUNDS					
01 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDG&GRNDS					
28 TRANSFERS TO GEN L SERVICES					
40 INDIRECT COSTS					
46 CONSULTANTS					
50 PERSONAL SERVICES - PERMANENT					
60 BENEFITS					
70 IN-STATE TRAVEL					
93 CONTRACTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
00 FEDERAL FUNDS					
01 CURRENT EXPENSES					
22 RENTS & LEASES TO NON-STATE					
24 MAINT OTHER THAN BLDG&GRNDS					
28 TRANSFERS TO GEN L SERVICES					
40 INDIRECT COSTS					
46 CONSULTANTS					
50 PERSONAL SERVICES - PERMANENT					
60 BENEFITS					
70 IN-STATE TRAVEL					
93 CONTRACTS					
TOTAL					

175,310
416,127
363,705
953,142

167,952
399,934
363,705
931,591

278,361
154,403
53,789
10,938
1,938
7,878
55,741
58,119
12,000
12,000
63,000
67,617
17,000
17,000
100,000

273,002
154,403
53,789
10,938
1,938
7,878
55,741
58,119
12,000
12,000
63,000
67,617
17,000
17,000
100,000

789,562
689,312
100,250
789,562

758,484
663,120
95,364
758,484

194,403
53,789
1,938
838
9,014
1,014
33,058
417
2,376
61,946

193,335
53,789
1,938
838
9,014
1,014
33,058
417
2,376
61,946

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05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
02 DIV OF PUBLIC HEALTH SERVICES								
03 DISEASE PREVENTION & CONTROL								
01 DISEASE PREV & CONTROL ADMIN								
60 BENEFITS								
70 IN-STATE TRAVEL								
80 OUT-OF-STATE TRAVEL								
TOTAL			13,724		14,369			
			1,629		1,629			
			1,000		1,000			
			91,448		92,364			
			91,448		93,364			
			91,448		93,364			
05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
02 DIV OF PUBLIC HEALTH SERVICES								
03 DISEASE PREVENTION & CONTROL								
02 DISEASE CONTROL								
10 PERSONAL SERVICES - PERMANENT								
20 CURRENT EXPENSES								
24 DEPT OF HEALTH BLDGGRNDS								
28 TRANSFER TO GEN'L SERVICES								
30 EQUIPMENT								
50 PERSONAL SERVICES - OTHER								
60 BENEFITS								
70 IN-STATE TRAVEL								
80 OUT-OF-STATE TRAVEL								
92 CANCER REGISTRY								
93 TB/REFUGEE CONTRACTS								
96 PATIENT CARE								
TOTAL			376,299		380,730			
			30,974		32,573			
			2,300		2,300			
			8,772		8,772			
			2,300		2,300			
			44,000		44,000			
			89,915		94,741			
			15,000		15,000			
			6,000		6,000			
			105,000		105,000			
			35,000		35,000			
			20,500		20,500			
			737,296		746,752			
05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
02 DIV OF PUBLIC HEALTH SERVICES								
03 DISEASE PREVENTION & CONTROL								
03 PUBLIC HEALTH LABORATORIES								
10 PERSONAL SERVICES - PERMANENT								
20 CURRENT EXPENSES								
22 RENTS & LEASES TO NON-STATE								
24 MAINT. OTHER THAN BLDGGRNDS								
28 TRANSFER TO GEN'L SERVICES								
30 EQUIPMENT								
40 INDIRECT COSTS								
TOTAL			619,521		625,019			
			200,000		206,000			
			1,000		1,000			
			20,160		20,160			
			136,961		137,283			
			143,000		141,619			
			18,737		16,991			

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
03 DISEASE PREVENTION & CONTROL					
03 PUBLIC HEALTH LABORATORIES					
(CONT.)					
(CONT.)					
(CONT.)					
(CONT.)					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
92 GRANTS & CONTRACTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
PUBLIC HEALTH LABORATORIES					
01 OTHER AGENCY FUNDS					
02 HIGHWAY FUNDS					
05 PRIVATE LOCAL FUNDS					
GENERAL FUND					
TOTAL					
35 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
03 DISEASE PREVENTION & CONTROL					
04 ENVIRONMENTAL HEALTH					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
22 HEALTH SERVICES - NON-STATE					
22 HINTY OTHER THAN BUD&GRNS					
28 TRANSFERS TO GEN'L SERVICES					
30 EQUIPMENT					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ENVIRONMENTAL HEALTH					
09 AGENCY INCOME					
GENERAL FUND					
TOTAL					

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05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF PUBLIC HEALTH SERVICES
03 PREVENTION, PROMOTION & CONTROL
05 IMMUNIZATION PROGRAM

10 PERSONAL SERVICES - PERMANENT	79,740	80,112
20 CURRENT EXPENSES	51,766	51,766
21 TRANSFERS TO OTHER BUDGETS	1,550	1,550
28 TRANSFERS TO GEN L SERVICES	7,895	7,895
40 INDIRECT COSTS	2,624	3,578
41 AUDIT FUND SET ASIDE	9,680	9,599
50 PERSONAL SERVICES - OTHER	19,073	19,960
60 BENEFITS	3,000	3,000
70 IN-STATE TRAVEL	2,000	2,000
80 OUT-OF-STATE TRAVEL	480,663	499,346
90 VACCINES		

* IT IS THE INTENT OF THE STATE GOVERNMENT
THAT VACCINES PURCHASED WITH THESE FUNDS
SHALL BE PROVIDED TO CHILDREN WITHOUT COST

TOTAL	657,990	681,853
ESTIMATED SOURCE OF FUNDS FOR		
IMMUNIZATION PROGRAM		
00 FEDERAL FUNDS	95,545	98,948
GENERAL FUND	562,445	582,905
TOTAL	657,990	681,853

05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF PUBLIC HEALTH SERVICES
03 PREVENTION, PROMOTION & CONTROL
06 STD PROGRAM

10 PERSONAL SERVICES - PERMANENT	47,795	47,795
20 CURRENT EXPENSES	29,641	32,698
21 TRANSFERS TO OTHER BUDGETS	4,825	4,825
40 INDIRECT COSTS	11,027	11,456
41 AUDIT FUND SET ASIDE	18,000	18,138
50 PERSONAL SERVICES - OTHER	12,370	12,302
60 BENEFITS	2,000	2,000
70 IN-STATE TRAVEL	2,000	2,000
80 OUT-OF-STATE TRAVEL	40,000	41,000
92 CONTRACTS		

TOTAL	167,795	173,484
ESTIMATED SOURCE OF FUNDS FOR		
STD PROGRAM		
00 FEDERAL FUNDS	134,357	139,316
GENERAL FUND	33,438	34,168
TOTAL	167,795	173,484

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 02 DIV OF PUBLIC HEALTH SERVICES
 03 DISEASE PREVENTION & CONTROL
 07 OCCUPATIONAL HEALTH SERVICE

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 28 TRANSFERS TO GEN L SERVICES
 30 EQUIPMENT
 38 IN-STATE TRAVEL
 41 AUDIT FUND SET ASIDE
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-STATE TRAVEL
 96 CONTRACTS

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 EMPLOYMENT HEALTH SERVICE
 00 FEDERAL FUNDS
 01 OTHER AGENCY FUNDS
 03 REVOLVING FUNDS
 TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 02 DIV OF PUBLIC HEALTH SERVICES
 03 DISEASE PREVENTION & CONTROL
 08 EMERGENCY RESPONSE

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 28 TRANSFERS TO GEN L SERVICES
 30 EQUIPMENT
 38 IN-STATE TRAVEL
 40 INDIRECT COSTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 EMERGENCY RESPONSE
 01 OTHER AGENCY FUNDS
 TOTAL

D	64,702		
E	9,603		
	1,038		
	4,000		
	11,021		
	7,70		
	6,218		
	15,480		
	4,299		
	2,000		
	9,746		
		129,251	132,260
I		70,000	70,000
		59,200	59,200
		3,000	3,000
		129,251	132,260
D	80,445		
	21,854		
	1,854		
	4,290		
	10,834		
	14,748		
	13,000		
	20,601		
	19,497		
	6,349		
	7,953		
		180,363	182,716
I		180,363	182,716
		180,363	182,716

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05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
02 DIV OF PUBLIC HEALTH SERVICES						
03 DISEASE PREVENTION & CONTROL						
09 RADIOLOGICAL HEALTH						
10 PERSONAL SERVICES - PERMANENT					162,710	162,873
20 CURRENT EXPENSES					2,514	5,026
22 RENTS & LEASES TO NON-STATE					40	139
24 MAINT OTHER THAN BLDG&GRNDS					1,117	1,610
28 TRANSFERS TO GEN L SERVICES					1,610	13,665
50 PERSONAL SERVICES - OTHER						1,100
60 BENEFITS					37,423	39,174
70 IN-STATE TRAVEL					2,500	2,733
80 OUT-OF-STATE TRAVEL					1,000	2,700
TOTAL					207,914	231,295
ESTIMATED SOURCE OF FUNDS FOR						
RADIOLOGICAL HEALTH						
09 AGENCY INCOME					40,100	40,100
GENERAL FUND					167,814	191,195
TOTAL					207,914	231,295
05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
02 DIV OF PUBLIC HEALTH SERVICES						
03 DISEASE PREVENTION & CONTROL						
10 AIDS PREVENTION						
10 PERSONAL SERVICES - PERMANENT					100,747	100,958
20 CURRENT EXPENSES					48,368	54,873
22 RENTS & LEASES TO NON-STATE					1,500	1,500
24 MAINT OTHER THAN BLDG&GRNDS					11,606	2,000
28 TRANSFERS TO GEN L SERVICES					1,500	2,000
50 PERSONAL SERVICES - OTHER					23,500	25,500
60 BENEFITS					1,000	500
70 IN-STATE TRAVEL					1,000	500
80 OUT-OF-STATE TRAVEL					26,000	26,000
92 GRANTS/CONTRACTS					8,000	12,222
96 MEDICAL						
TOTAL					222,508	228,118
ESTIMATED SOURCE OF FUNDS FOR						
AIDS PREVENTION						
GENERAL FUND					222,508	228,118
TOTAL					222,508	228,118

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
03 DISEASE PREVENTION & CONTROL					
11 AIDS PREVENTION PROJECT					
10 PERSONAL SERVICES - PERMANENT					
20	CURRENT EXPENSES	155,144		161,560	
30	EQUIPMENT	15,752		144,567	
40	INDIRECT COSTS	15,592		144,567	
50	PERSONAL SERVICES - OTHER	51,959		52,838	
60	BENEFITS	11,700		700	
70	IN-STATE TRAVEL	11,455		12,000	
80	OUT-OF-STATE TRAVEL	37,380		39,592	
92	GRANTS & CONTRACTS	11,124		11,124	
TOTAL		263,881	700,000	266,929	700,000
ESTIMATED SOURCE OF FUNDS FOR					
AIDS PREVENTION PROJECT					
10 FEDERAL FUNDS					
TOTAL					
			700,000		700,000
			700,000		700,000
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
03 DISEASE PREVENTION & CONTROL					
04 FAMILY & COMMUNITY HEALTH ADH					
01 FAMILY & COMMUNITY HEALTH ADH					
10 PERSONAL SERVICES - PERMANENT					
20	CURRENT EXPENSES	61,872		62,099	
30	EQUIPMENT	9,300		9,500	
40	INDIRECT COSTS	2,000		2,000	
50	PERSONAL SERVICES - OTHER	3,226		2,532	
60	BENEFITS	3,226		3,226	
70	IN-STATE TRAVEL	14,231		14,904	
80	OUT-OF-STATE TRAVEL	212		288	
TOTAL		475	92,989	2,139	96,913
ESTIMATED SOURCE OF FUNDS FOR					
FAMILY & COMMUNITY HEALTH ADH					
10 FEDERAL FUNDS					
GENERAL FUND					
TOTAL					
			50,761		52,545
			42,228		44,368
			92,989		96,913

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
04 FAMILY AND COMMUNITY HEALTH					
02 MATERNAL AND CHILD HEALTH					
10 PERSONAL SERVICES - PERMANENT					419,043
20 CURRENT EXPENSES		417,194			46,607
28 TRANSFERS TO GEN'L SERVICES		44,288			3,507
30 EQUIPMENT		13,371			1,500
40 INDIRECT COSTS		56,432			5,823
46 CONSULTANTS SET ASIDE					843
50 PERSONAL SERVICES - OTHER		6,000			6,000
60 BENEFITS		30,000			10,000
70 IN-STATE TRAVEL		18,500			10,000
90 PRENATAL PROGRAM		3,666			7,666
91 CHILD HEALTH PROGRAM		544,895			575,387
92 PERINATAL PROGRAM		767,471			797,963
93 INJURY PREVENTION PROGRAM		42,142			40,035
96 PATIENT CARE		59,835			65,000
TOTAL		2,111,507			2,181,769
ESTIMATED SOURCE OF FUNDS FOR					
MATERNAL AND CHILD HEALTH					
SPECIAL MEDICAL FUNDS					
TOTAL		815,951			843,493
		1,295,556			1,338,276
		2,111,507			2,181,769
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
04 FAMILY AND COMMUNITY HEALTH					
03 SPECIAL MEDICAL SERVICES					
10 PERSONAL SERVICES - PERMANENT					561,931
20 CURRENT EXPENSES		555,785			51,000
28 TRANSFERS TO GEN'L SERVICES		49,000			28,500
30 EQUIPMENT		28,466			6,706
40 INDIRECT COSTS		58,399			67,799
46 CONSULTANTS SET ASIDE					177,684
50 PERSONAL SERVICES - OTHER		67,641			140,866
60 BENEFITS		77,684			8,500
70 IN-STATE TRAVEL		133,700			4,000
90 PRENATAL PROGRAM		2,000			130,000
91 SPECIALTY CLINIC SERVICES		130,000			541,997
94 MEDICAL/DRUGS		474,095			250,000
96 PATIENT CARE		250,000			748,626
TOTAL		2,586,463			2,675,099
ESTIMATED SOURCE OF FUNDS FOR					
SPECIAL MEDICAL SERVICES					

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS		(CONT.)			
02 DIV OF PUBLIC HEALTH SERVICES		(CONT.)			
04 FAMILY AND COMMUNITY HEALTH		(CONT.)			
03 SPECIAL MEDICAL SERVICES		(CONT.)			
00 FEDERAL FUNDS			775,939	802,530	
GENERAL FUND			1,810,524	1,872,569	
TOTAL			2,586,463	2,675,099	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
04 FAMILY AND COMMUNITY HEALTH					
04 DENTAL HEALTH					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES			235,535	236,684	
24 MAINT. OTHER THAN BLDG&GRNDS			26,872	23,104	
28 TRANSFERS TO GEN'L SERVICES			2,000	2,000	
40 EQUIPMENT COSTS			10,543	12,000	
41 AUDIT FUND SET ASIDE			8,111	8,834	
60 BENEFITS			54,173	56,804	
70 IN-STATE TRAVEL			10,100	10,100	
80 OUT-OF-STATE TRAVEL			1,000	1,358	
TOTAL			349,251	350,000	
ESTIMATED SOURCE OF FUNDS FOR					
DENTAL HEALTH					
00 FEDERAL FUNDS			106,925	110,381	
GENERAL FUND			239,325	239,619	
TOTAL			349,251	350,000	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
04 FAMILY AND COMMUNITY HEALTH					
05 MIC-SUPPLEMENTAL FOOD					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES			240,323	242,073	
24 MAINT. OTHER THAN BLDG&GRNDS			39,350	39,350	
28 TRANSFERS TO GEN'L SERVICES			8,200	8,200	
30 EQUIPMENT			250	250	
40 EQUIPMENT COSTS			12,284	12,281	
41 AUDIT FUND SET ASIDE			13,200	13,200	
50 PERSONAL SERVICES - OTHER			11,305	11,305	
60 BENEFITS			6,763	6,768	
70 IN-STATE TRAVEL			13,670	13,670	
80 OUT-OF-STATE TRAVEL			59,144	59,144	
90 FOOD COSTS			2,500	2,500	
98 GRANTS & CONTRACTS			5,441,041	5,440,791	
TOTAL			1,352,147	1,351,318	
TOTAL			7,292,290	7,296,850	

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05 HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF PUBLIC HEALTH SERVICES
03 FAMILY AND COMMUNITY HEALTH
05 WIC-SUPPLEMENTAL FOOD

ESTIMATED SOURCE OF FUNDS FOR
WIC-SUPPLEMENTAL FOOD
00 FEDERAL FUNDS
GENERAL FUND
TOTAL

05 HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF PUBLIC HEALTH SERVICES
03 FAMILY AND COMMUNITY HEALTH
06 FAMILY PLANNING PROGRAM

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
28 TRANSFERS TO GEN L SERVICES
30 EQUIPMENT COSTS
40 EQUIPMENT
41 AUDIT FUND SET ASIDE
46 CONSULTANTS
50 PERSONAL SERVICES - OTHER
70 BENEFITS TRAVEL
80 OUT-OF-STATE TRAVEL
92 GRANTS

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
FAMILY PLANNING PROGRAM
00 FEDERAL FUNDS
GENERAL FUND
TOTAL

05 HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF PUBLIC HEALTH SERVICES
05 HEALTH RISK ASSESSMENT
D1 HEALTH RISK ASSESSMENT

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
28 TRANSFERS TO GEN L SERVICES
30 EQUIPMENT
46 CONSULTANTS
50 PERSONAL SERVICES - OTHER
70 BENEFITS TRAVEL
70 IN-STATE TRAVEL

(CONT.)
(CONT.)
(CONT.)
(CONT.)

7,192,290
100,000
7,292,290

7,196,850
100,000
7,296,850

72,909
14,330
14,725
6,565
6,579
-425
26,627
1,866
1,866
25,334
25,334
19,446
1,350
2,860
1,325,898

1,495,846
865,524
630,322
1,495,846

1,499,458
851,919
637,539
1,499,458

194,981
13,850
32,060
2,376
3,501
3,509
21,177
21,177
45,411
45,411
51,084
1,940

198,375
32,060
2,376
3,509
3,509
21,177
21,177
45,411
51,084
1,940

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05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
02 DIV OF PUBLIC HEALTH SERVICES						
05 HEALTH RISK ASSESSMENT						
01 HEALTH RISK ASSESSMENT						
80 OUT-OF-STATE TRAVEL						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
HEALTH RISK ASSESSMENT						
GENERAL FUND						
TOTAL						
4,850						
378,929						
378,929						
378,929						
05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
02 DIV OF PUBLIC HEALTH SERVICES						
05 HEALTH RISK ASSESSMENT						
02 ASBESTOS CONTROL						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES						
30 EQUIPMENT						
50 PERSONAL SERVICES - OTHER						
60 BENEFITS						
70 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
90 GRANTS						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ASBESTOS CONTROL						
03 REVOLVING FUNDS						
TOTAL						
51,846						
82,649						
82,649						
82,649						
05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
02 DIV OF PUBLIC HEALTH SERVICES						
06 BOARD OF NURSES REGISTRATION						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES						
22 RENTS & LEASES TO NON-STATE						
24 MAINT OTHER THAN BLDGGRNDS						
30 EQUIPMENT						
50 PERSONAL SERVICES - OTHER						
60 BENEFITS						
70 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
92 GRANTS/CONTRACTS						
TOTAL						
310,316						
320,988						
320,988						

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
06 BOARD OF NURSES REGISTRATION					
(CONT)					
(CONT)					
(CONT)					
ESTIMATED SOURCE OF FUNDS FOR					
BOARD OF NURSES REGISTRATION					
GENERAL FUND					
TOTAL					
310,316					
320,988					
320,988					
ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS					
ALL BOARDS AND COMMISSIONS WHICH HAVE NOT					
ALREADY ESTABLISHED FEES FOR EXAMINATION					
REGISTRATION, A PUBLICATION WHICH THEY SELL, OR					
ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFIC-					
ALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT					
RULES UNDER RSA 241-A, RELATIVE TO FEES FOR SUCH					
ANNUAL OR BIENNIAL BASIS, THE FULL COST OF THE					
PROGRAM INCLUDING THE COST OF SUPPORT AND					
ADMINISTRATIVE SERVICES PROVIDED BY OTHER					
AGENCIES, OR 125% OF THE DIRECT COST OF THE					
SUPPORT SERVICES PROVIDED BY THE PROGRAM,					
WHICH ESTABLISHES FEES FOR EXAMINATION					
APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINA-					
TIONS, RELATED SERVICES OR SUPPLIES AS					
NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF					
THE EXAMINATION					
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF PUBLIC HEALTH SERVICES					
07 HEALTH SERVICES PLANNING & RVN					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES - BUDGETS					
28 TRANSFERS TO GEN'L SERVICES					
29 TRANSFERS TO INFO SERVICES					
30 EQUIPMENT					
46 CONSULTANTS					
60 BENEFITS SERVICES - OTHER					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
92 GRANTS					
TOTAL					
199,396					
64,045					
2,528					
17,943					
8,000					
5,199					
20,666					
49,972					
7,201					
4,798					
103,500					
486,708					
492,024					

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 CHILDREN & YOUTH SERVICES					
07 HEALTH SERVICES PLANNING & RVW					
(CONT.)					
(CONT.)					
(CONT.)					
ESTIMATED SOURCE OF FUNDS FOR					
06 HEALTH SERVICES PLANNING & RVW					
GENERAL FUND					
TOTAL					
24,129,778					
24,571,107					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
DIV OF PUBLIC HEALTH SERVICES					
GENERAL FUND					
FEDERAL FUND					
OTHER FUNDS					
TOTAL					
12,584,961					
12,790,265					
12,520,597					
2,150,979					
2,255,445					
24,129,778					
24,571,107					
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
01 OFFICE OF DIRECTOR					
- C & Y					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY DIRECTOR DIV C & Y SVCS					
20 CURRENT EXPENSES					
22 RENTALS LEASES TO NON-STATE					
30 EQUIPMENT TO GEN'L SERVICES					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
80 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
OFFICE OF DIRECTOR - C & Y					
GENERAL FUND					
TOTAL					
378,971					
41,317					
147,600					
72,585					
72,585					
9,000					
2,500					
96,857					
6,818					
5,000					
774,546					
774,546					
774,546					
774,546					
382,805					
43,549					
155,300					
72,585					
72,585					
9,000					
2,500					
102,516					
6,818					
5,000					
794,136					
794,136					
794,136					

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 03 DIV FOR CHILDREN & YOUTH SVCS
 01 OFFICE OF DIRECTOR
 02 JUVENILE JUSTICE PROGRAM
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 41 AUDIT FUND SET ASIDE
 50 PERSONAL SERVICES - OTHER
 70 BENEFIT TRAVEL
 80 OUT-OF-STATE TRAVEL
 93 GRANTS
 97 ADVISORY BOARD
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 JUVENILE JUSTICE PROGRAM
 00 FEDERAL FUNDS
 GENERAL FUND
 TOTAL

26,332
 4,338
 13,324
 13,903
 4,662
 4,737
 13,457
 294,971
 4,662
 369,832
 326,637
 33,191
 369,832
 370,068
 326,737
 33,325
 370,068

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 03 DIV FOR CHILDREN & YOUTH SVCS
 01 BUREAU OF CHILDREN
 01 BUREAU OF CHILDREN-ADM
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES, NON-STATE
 24 MAINT OTHER THAN BLDG&GRNDS
 30 EQUIPMENT
 41 AUDIT FUND SET ASIDE
 50 PERSONAL SERVICES - OTHER
 70 BENEFIT TRAVEL
 80 OUT-OF-STATE TRAVEL
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 BUREAU OF CHILDREN-ADM
 00 FEDERAL FUNDS
 GENERAL FUND
 TOTAL

5,292,938
 13,000
 59
 59
 2,000
 3,676
 5,263
 1,221,364
 272,103
 8,381
 6,866,940
 3,675,375
 3,191,565
 6,866,940

THE FEDERAL IV-B, CHILD ABUSE, AND SOCIAL
 SERVICES BLOCK GRANT PROGRAMS AND
 ARE A BLOCK GRANT ALLOCATION AND REPRESENT THE
 ESTIMATED MAXIMUM AMOUNT AVAILABLE PAY RAISES

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05 HEALTH AND SOCIAL SERVICES (CONT.)
 01 DEPT OF HEALTH AND HUMAN SVCS (CONT.)
 03 DIV FOR CHILDREN & YOUTH SVCS (CONT.)
 02 BUREAU OF CHILDREN (CONT.)
 01 BUREAU OF CHILDREN-ADM

ISSUED IN THIS SUB-COMPONENT MUST BE FUNDED WITH GENERAL FUNDS IN THE EVENT THAT ADDITIONAL FEDERAL FUNDS BECOME AVAILABLE FOR THE PROGRAMS FUNDED BY THIS SUB-COMPONENT. THE FEDERAL FUNDS MUST BE APPROPRIATED AND THE GENERAL FUND APPROPRIATION SHALL BE REDUCED BY THE ADDITIONAL AMOUNT OF FEDERAL FUNDS.

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 03 DIV FOR CHILDREN & YOUTH SVCS
 02 BUREAU OF CHILDREN
 02 C-Y TITLE XX GRANTS
 41 AUDIT FUND SET ASIDE 0
 90 TITLE XX GRANTS 1,066,407 1,065,473
 TOTAL 1,065,473
 ESTIMATED SOURCE OF FUNDS FOR
 00 FEDERAL FUNDS 1,065,473
 00 FEDERAL FUNDS 1,065,473
 TOTAL 1,065,473

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 03 DIV FOR CHILDREN & YOUTH SVCS
 02 BUREAU OF CHILDREN
 03 C-Y TITLE IVB GRANTS
 41 AUDIT FUND SET ASIDE 0
 90 TITLE IVB GRANTS 310 412,870
 TOTAL 412,870
 ESTIMATED SOURCE OF FUNDS FOR
 00 FEDERAL FUNDS 310
 00 FEDERAL FUNDS 309,653
 00 FEDERAL FUNDS 103,217
 00 FEDERAL FUNDS 412,870
 TOTAL 412,870

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 BUREAU OF CHILDREN & YOUTH SVCS					
04 C-Y TITLE IVE GRANTS					
41	AUDIT FUND SET ASIDE			1,637	
90	REFUGEE ASSISTANCE	3,008,598		3,008,598	
91	ADOPTION SUBSIDY	259,200		259,200	
TOTAL		3,265,595			3,261,272
ESTIMATED SOURCE OF FUNDS FOR					
00	FEDERAL FUNDS		1,632,798		1,630,636
05	PRIVATE LOCAL FUNDS		408,199		407,659
05	GENERAL FUND		1,224,598		1,222,977
TOTAL		3,265,595			3,261,272
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 BUREAU OF CHILDREN & YOUTH SVCS					
05 CHILD ABUSE GRANTS					
20	CURRENT EXPENSES			1,200	
41	AUDIT FUND SET ASIDE			67	
50	PERSONAL SERVICES - OTHER		26,179	26,179	
60	PERSONAL SERVICES		1,403	1,403	
70	IN-STATE TRAVEL		1,433	1,433	
80	OUT-OF-STATE TRAVEL		1,600	1,600	
90	CHILD ABUSE GRANT		28,357	28,357	
TOTAL			60,839		60,839
ESTIMATED SOURCE OF FUNDS FOR					
00	CHILD ABUSE GRANTS		60,839		60,839
00	FEDERAL FUNDS		60,839		60,839
TOTAL			60,839		60,839
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
02 BUREAU OF CHILDREN					
06 REFUGEE ASSISTANCE GRANTS					
90	REFUGEE ASSISTANCE			142,800	
TOTAL				142,800	
ESTIMATED SOURCE OF FUNDS FOR					
00	REFUGEE ASSISTANCE GRANTS		142,800		142,800
01	OTHER AGENCY FUNDS		142,800		142,800
TOTAL			142,800		142,800

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05 HEALTH AND SOCIAL SERVICES							
00 DEPT OF HEALTH AND HUMAN SVCS							
01 DIV FOR CHILDREN & YOUTH SVCS							
02 BUREAU OF CHILDREN							
07 DCYS - SETTLEMENT							
90 DCYS SETTLEMENT					19,951,909	21,036,325	
TOTAL					19,951,909	21,036,325	
ESTIMATED SOURCE OF FUNDS FOR							
DCYS - SETTLEMENT					19,951,909		
05 HEALTH AND SOCIAL SERVICES							
00 DEPT OF HEALTH AND HUMAN SVCS							
01 DIV FOR CHILDREN & YOUTH SVCS							
02 BUREAU OF CHILDREN							
08 C-Y DIVERSION INCENTIVES							
90 DIVERSION INCENTIVES					1,050,000	1,050,000	
TOTAL					1,050,000	1,050,000	
ESTIMATED SOURCE OF FUNDS FOR							
C-Y DIVERSION INCENTIVES					1,050,000		
05 HEALTH AND SOCIAL SERVICES							
00 DEPT OF HEALTH AND HUMAN SVCS							
01 DIV FOR CHILDREN & YOUTH SVCS							
02 BUREAU OF CHILDREN							
09 JUVENILE SERVICES							
10 PERSONAL SERVICES - PERMANENT							
30 EQUIPMENT EXPENSES					1,346,913	1,376,489	
50 PERSONAL SERVICES - OTHER					14,000	156,590	
60 BENEFITS					32,836	32,836	
70 IN-STATE TRAVEL					312,302	332,869	
80 OUT-OF-STATE TRAVEL					110,675	110,675	
90 TRAINING OF OFFICERS					12,487	8,523	
93 TRANSPORTATION OF STUDENTS					5,000	5,000	
TOTAL					1,995,603	2,027,782	
ESTIMATED SOURCE OF FUNDS FOR							
JUVENILE SERVICES					1,995,603	2,027,782	
GENERAL FUND					1,995,603	2,027,782	
TOTAL					1,995,603	2,027,782	

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05. HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV FOR CHILDREN & YOUTH SVCS					
02 BUREAU OF CHILDREN					
10 TEEN INDEPENDENT LIVING					
20 CURRENT EXPENSES			750		
50 AGR FUND SERVICES			50		
50 PERSONAL SERVICES - OTHER			21,796		
60 BENEFITS			1,667		
70 IN-STATE TRAVEL			1,152		
80 OUT-OF-STATE TRAVEL			500		
90 CONTRACTS			20,442		
TOTAL			46,333		
ESTIMATED SOURCE OF FUNDS FOR					
TEEN INDEPENDENT LIVING					
GENERAL FUND			46,333		
TOTAL			46,333		
05. HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV FOR CHILDREN & YOUTH SVCS					
03 BUREAU OF COMMUNITY SERVICES					
10 PERSONAL SERVICES - PERMANENT					
60 BENEFITS			104,592	107,319	
TOTAL			24,079	25,757	
ESTIMATED SOURCE OF FUNDS FOR					
BUREAU OF COMMUNITY SERVICES					
GENERAL FUND			128,771	133,076	
TOTAL			128,771	133,076	
05. HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 BUREAU OF COMMUNITY SERVICES					
04 BUR OF ADMINISTRATIVE SVCS					
10 PERSONAL SERVICES - PERMANENT					
60 BENEFITS			213,416	217,167	
TOTAL			49,086	52,120	
ESTIMATED SOURCE OF FUNDS FOR					
BUR OF ADMINISTRATIVE SVCS					
GENERAL FUND			1,170	1,170	
TOTAL			6,000	6,000	
ESTIMATED SOURCE OF FUNDS FOR					
BUR OF ADMINISTRATIVE SVCS					
GENERAL FUND			269,672	276,457	
TOTAL			269,672	276,457	
GENERAL FUND			269,672	276,457	
TOTAL			269,672	276,457	

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
01 ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT	276,435		280,165		
19 HOLIDAY PAY	130		209		
20 CURRENT EXPENSES	36,749		36,749		
24 MAINT OTHER THAN BLDG&GRNDS	2,100		2,100		
30 EQUIPMENT	8,346		8,500		
40 PERSONAL TRAVEL	4,000		4,000		
50 PERSONAL SERVICES - OTHER	5,709		5,721		
60 BENEFITS	64,000		64,000		
70 IN-STATE TRAVEL	2,000		2,000		
80 OUT-OF-STATE TRAVEL	2,000		2,000		
TOTAL	404,516		404,074		
ESTIMATED SOURCE OF FUNDS FOR					
ADMINISTRATION					
GENERAL FUND					
TOTAL	404,516		404,074		
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
02 CUSTODIAL CARE					
10 PERSONAL SERVICES - PERMANENT	169,007		171,309		
19 HOLIDAY PAY	130		1,720		
20 CURRENT EXPENSES	40,473		41,848		
21 FOOD INSTITUTIONS	181,245		182,873		
30 EQUIPMENT	6,000		1,730		
40 PERSONAL TRAVEL	3,164		3,730		
50 PERSONAL SERVICES - OTHER	39,507		41,766		
60 BENEFITS					
TOTAL	441,076		444,350		
ESTIMATED SOURCE OF FUNDS FOR					
CUSTODIAL CARE					
07 AGENCY INCOME					
GENERAL FUND					
TOTAL	95,835		97,457		
	345,241		346,893		
	441,076		444,350		
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
03 OPERATION AND MAINTENANCE					
10 PERSONAL SERVICES - PERMANENT	240,826		242,431		
19 HOLIDAY PAY	4,577		4,577		
20 CURRENT EXPENSES	44,106		44,106		
22 RENTS & LEASES TO NON-STATE	400		400		

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
04 BUREAU OF RESIDENTIAL SERVICES					
05 OPERATION AND MAINTENANCE					
23 HEAT, ELECTRICITY & WATER	D	179,612		179,612	
24 MAIN, OTHER THAN BLDGRNDS		28,452		28,452	
44 CONTRACT MAINT-BLDGRNDS	G	9,950		9,950	
48 CONTRACT MAINT-BLDGRND		11,680		11,680	
50 PERSONAL SERVICES - OTHER		57,335		57,335	
60 BENEFITS					
TOTAL		585,419		589,862	
ESTIMATED SOURCE OF FUNDS FOR					
OPERATION AND MAINTENANCE					
GENERAL FUND		585,419		589,862	
TOTAL		585,419		589,862	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
04 BUREAU OF RESIDENTIAL SERVICES					
05 REHABILITATIVE PROGRAMS					
10 PERSONAL SERVICES - PERMANENT		1,942,610		1,365,816	
19 HOLIDAY PAY		77,892		77,892	
20 CURRENT EXPENSES		65,430		65,430	
30 EQUIPMENT LEASES TO NON-STATE		1,613		1,613	
45 PERSONNEL SVCS-NON BENEFIT		21,716		21,800	
50 PERSONAL SERVICES - OTHER		426,032		427,903	
60 BENEFITS		497,306		523,465	
90 NON-STATE TRAVEL		23,750		23,750	
91 STATE TRAVEL		4,500		4,500	
93 TRANSPORT OF STUDENTS					
TOTAL		3,062,759		3,118,390	
ESTIMATED SOURCE OF FUNDS FOR					
REHABILITATIVE PROGRAMS					
05 PRIVATE LOCAL FUNDS	I	1,361,019		1,361,528	
06 AGENCY INCOME	I	1,701,125		1,756,247	
GENERAL FUND		3,062,759		3,118,390	
TOTAL					

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
06 EDUCATION DEPT GRANTS					
19 HOLIDAY PAY	330				330
20 CURRENT EXPENSES	6,950				6,950
21 FOOD INSTITUTIONS	340				340
22 MAINT OTHER THAN BLDGGRNDS	7,764				7,764
30 EQUIPMENT	1,319				1,319
40 INDIRECT COSTS	130				130
42 TRANSFER TO COLA	8,712				8,712
50 PERSONAL SERVICES - OTHER	408				408
60 BENEFITS	500				500
70 IN-STATE TRAVEL					
90 TRAINING					
TOTAL ESTIMATED SOURCE OF FUNDS FOR	26,423				26,422
EDUCATION DEPT GRANTS					
07 AGENCY INCOME	26,423				26,422
TOTAL	26,423				26,422
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
06 FRIENDSHIP HOUSE					
10 PERSONAL SERVICES - PERMANENT	176,507				176,514
19 HOLIDAY PAY	6,687				6,687
20 CURRENT EXPENSES	3,758				3,758
21 FOOD INSTITUTIONS	17,000				17,000
22 MAINT OTHER THAN BLDGGRNDS	13,542				13,542
30 EQUIPMENT	242				242
40 INDIRECT COSTS	17,746				17,746
50 PERSONAL SERVICES - OTHER	43,493				43,493
60 BENEFITS					
TOTAL	279,113				283,557
EDUCATION DEPT GRANTS					
07 AGENCY INCOME	279,113				283,557
TOTAL	279,113				283,557
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
07 REHABILITATIVE EDUCATION					
10 PERSONAL SERVICES - PERMANENT	497,487				501,465
20 CURRENT EXPENSES	13,757				13,757
24 MAINT OTHER THAN BLDGGRNDS	1,716				1,716
30 EQUIPMENT	6,334				6,300

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05	HEALTH AND SOCIAL SERVICES				(CONT)		
01	DEPT OF HEALTH AND HUMAN SVCS				(CONT)		
03	DIV FOR CHILDREN & YOUTH SVCS				(CONT)		
07	BUREAU OF RESIDENTIAL SERVICES				(CONT)		
07	REHABILITATIVE EDUCATION						
E						2,541	
D						1,074	
40	INDIRECT COSTS					13,717	
42	TRANSFER TO COLA					121,401	
50	BENEFITS					2,000	
60	BENEFITS - OTHER					27,108	
70	IN-STATE TRAVEL						
94	EDUCATIONAL MATERIALS						
TOTAL						691,408	691,082
ESTIMATED SOURCE OF FUNDS FOR							
REHABILITATIVE EDUCATION							
I						124,750	124,750
05	PRIVATE LOCAL FUNDS					95,730	95,730
I						470,600	470,600
07	AGENCY INCOME					480,926	480,926
GENERAL FUND						691,408	691,082
TOTAL							
05	HEALTH AND SOCIAL SERVICES						
01	DEPT OF HEALTH AND HUMAN SVCS						
03	DIV FOR CHILDREN & YOUTH SVCS						
05	BUREAU OF RESIDENTIAL SERVICES						
08	LIBRARY GRANT						
30	EQUIPMENT					3,150	3,150
TOTAL						3,150	3,150
ESTIMATED SOURCE OF FUNDS FOR							
LIBRARY GRANT							
I						3,150	3,150
07	AGENCY INCOME					3,150	3,150
TOTAL							
05	HEALTH AND SOCIAL SERVICES						
01	DEPT OF HEALTH AND HUMAN SVCS						
03	DIV FOR CHILDREN & YOUTH SVCS						
05	BUREAU OF RESIDENTIAL SERVICES						
09	PAROLE						
10	PERSONAL SERVICES - PERMANENT					245,458	245,458
20	CURRENT EXPENSES					3,540	3,540
50	PERSONAL SERVICES - OTHER					58,944	58,944
60	BENEFITS					24,000	24,000
70	IN-STATE TRAVEL						
TOTAL						327,917	327,552
ESTIMATED SOURCE OF FUNDS FOR							
PAROLE							
GENERAL FUND						327,917	327,552
TOTAL							

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 03 DIV FOR CHILDREN & YOUTH SVCS
 05 BUREAU OF RESIDENTIAL SERVICES
 10 PHILBROOK CENTER-ADMIN

10 PERSONAL SERVICES - PERMANENT	310,533	315,641
11 IN-PATIENT UNIT	12,000	12,000
20 CURRENT EXPENSES	79,423	79,423
21 FOOD INSTITUTIONS	175,758	175,758
22 RENTS & LEASES TO NON-STATE	4,959	4,959
23 HEAT, ELECTRICITY & WATER	28,326	30,326
30 EQUIPMENT	7,400	1,540
40 PERSONNEL SVCS-NON BENEFIT	2,000	2,000
45 CONSULTANTS	12,000	12,000
48 CONTRACTUAL MAINT-BLDG&GRND	574,429	574,429
49 PERSONAL SERVICES - OTHER	5,700	5,700
50 PERSONAL SERVICES - OTHER	72,319	76,670
60 BENEFITS	8,000	8,000
70 IN-STATE TRAVEL	8,500	8,500
80 OUT-OF-STATE TRAVEL	10,000	10,000
90 TRANSPORTATION	9,606	9,606
94 EDUCATIONAL MATERIALS		
98 YOUTH BENEFIT FUND		
TOTAL ESTIMATED SOURCE OF FUNDS FOR PHILBROOK CENTER-ADMIN	1,331,103	1,337,577
07 AGENCY INCOME	22,253	22,253
GENERAL FUND	1,308,850	1,315,324
TOTAL	1,331,103	1,337,577

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 03 DIV FOR CHILDREN & YOUTH SVCS
 05 BUREAU OF RESIDENTIAL SERVICES
 11 IN-PATIENT UNIT

10 PERSONAL SERVICES - PERMANENT	646,822	654,756
19 HOLIDAY PAY	12,500	12,500
30 EQUIPMENT	12,000	12,000
40 CONSULTANTS	141,189	141,189
50 PERSONAL SERVICES - OTHER	162,445	170,942
60 BENEFITS		
TOTAL ESTIMATED SOURCE OF FUNDS FOR IN-PATIENT UNIT	981,091	997,187
GENERAL FUND	981,091	997,187
TOTAL	981,091	997,187

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05 HEALTH AND SOCIAL SERVICES			
01 DEPT OF HEALTH AND HUMAN SVCS			
03 DIV FOR CHILDREN & YOUTH SVCS			
05 BUREAU OF RESIDENTIAL SERVICES			
12 AOC UNIT			
		594,872	609,564
10 PERSONAL SERVICES - PERMANENT		9,300	9,300
19 HOLIDAY PAY		5,400	5,400
40 CONSULTANTS		7,000	7,000
48 CONTRACTUAL MAINT-BLDG&GRND		30,000	
50 PERSONAL SERVICES - OTHER		100,900	100,900
60 BENEFITS		146,679	156,245
TOTAL			888,410
ESTIMATED SOURCE OF FUNDS FOR			
AOC UNIT			
05 PRIVATE LOCAL FUNDS		478,255	471,293
GENERAL FUND		415,897	417,117
TOTAL		894,152	888,410
05 HEALTH AND SOCIAL SERVICES			
01 DEPT OF HEALTH AND HUMAN SVCS			
03 DIV FOR CHILDREN & YOUTH SVCS			
05 BUREAU OF RESIDENTIAL SERVICES			
13 SPECIAL ED PROGRAM			
10 PERSONAL SERVICES - PERMANENT		751,858	772,892
19 HOLIDAY PAY		1,000	1,000
30 EQUIPMENT		12,970	13,880
50 PERSONAL SERVICES - OTHER		135,602	136,247
60 BENEFITS		183,531	186,157
TOTAL		1,084,961	1,120,176
ESTIMATED SOURCE OF FUNDS FOR			
SPECIAL ED PROGRAM			
05 PRIVATE LOCAL FUNDS		784,532	784,532
GENERAL FUND		300,429	335,644
TOTAL		1,084,961	1,120,176
05 HEALTH AND SOCIAL SERVICES			
01 DEPT OF HEALTH AND HUMAN SVCS			
03 DIV FOR CHILDREN & YOUTH SVCS			
05 BUREAU OF RESIDENTIAL SERVICES			
14 ARTIST-IN-SCHOOL PROGRAM			
20 CURRENT EXPENSES		438	428
40 INDIRECT COSTS		889	889
46 CONSULTANTS		6,962	6,962
50 PERSONAL SERVICES - OTHER		3,900	3,900
60 BENEFITS		298	298
TOTAL		12,481	12,481
ESTIMATED SOURCE OF FUNDS FOR			
ARTIST-IN-SCHOOL PROGRAM			

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
17 FINCH UNIT					
10 PERSONAL SERVICES - PERMANENT					
19	566,882		589,280		
20	12,500		12,500		
36	36,645		36,645		
46	66,667		66,667		
50	94,200		94,200		
60	140,464		151,633		
TOTAL		882,828		919,760	
ESTIMATED SOURCE OF FUNDS FOR					
FINCH UNIT					
GENERAL FUND					
TOTAL		882,828		919,760	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
05 BUREAU OF RESIDENTIAL SERVICES					
19 WORK WILDERNESS PROGRAM					
20	3,472		3,473		
21			895		
22	2,296		2,296		
46	2,603		2,603		
50	2,603		2,603		
60	199		199		
70	400		400		
TOTAL		10,170		10,170	
ESTIMATED SOURCE OF FUNDS FOR					
WORK WILDERNESS PROGRAM					
05 PRIVATE LOCAL FUNDS					
TOTAL		10,170		10,170	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
03 DIV FOR CHILDREN & YOUTH SVCS					
06 FEMALE RESIDENTIAL CENTER					
90 FEMALE RESIDENTIAL CENTER					
TOTAL		617,000		648,000	
ESTIMATED SOURCE OF FUNDS FOR					
FEMALE RESIDENTIAL CENTER					
05 PRIVATE LOCAL FUNDS					
GENERAL FUND					
TOTAL		617,000		648,000	
TOTAL					
		48,070.078		49,519.868	

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIV OF CHILDREN & YOUTH SVCS					
03 DIV OF CHILDREN & YOUTH SVCS					
(CONT.)					
(CONT.)					
ESTIMATED SOURCE OF FUNDS FOR					
DIV OF CHILDREN & YOUTH SVCS					
GENERAL FUND					
OTHER FUNDS					
TOTAL					
		7,126,684		7,157,029	
		32,204,293		33,350,261	
		8,739,101		9,115,868	
		48,070,078		49,519,868	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIVISION OF HUMAN SERVICES					
01 DIRECTORS OFFICE					
01 ADMINISTRATION					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF DIRECTOR					
20 CURRENT EXPENSES					
41 TRANSFER TO COLA					
42 TRANSFER TO COLA					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ADMINISTRATION					
00 FEDERAL FUNDS					
GENERAL FUND					
TOTAL					
		1,018,786		1,027,342	
		50,526		50,526	
		862,871		863,784	
		7,579		7,749	
		245,376		258,724	
		95,000		100,000	
		12,491		12,491	
		2,294,046		2,341,663	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIVISION OF HUMAN SERVICES					
01 DIRECTORS OFFICE					
02 QUALITY ASSURANCE					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF DIRECTOR					
41 TRANSFER TO COLA					
42 TRANSFER TO COLA					
60 BENEFITS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
QUALITY ASSURANCE					
00 FEDERAL FUNDS					
GENERAL FUND					
TOTAL					
		523,503		526,342	
		5,223		5,223	
		120,429		126,322	
		649,622		658,285	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
02 DIVISION OF HUMAN SERVICES					
01 DIRECTORS OFFICE					
02 QUALITY ASSURANCE					
10 PERSONAL SERVICES - PERMANENT					
11 SALARY OF DIRECTOR					
41 TRANSFER TO COLA					
42 TRANSFER TO COLA					
60 BENEFITS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
QUALITY ASSURANCE					
00 FEDERAL FUNDS					
GENERAL FUND					
TOTAL					
		331,915		336,208	
		247,202		251,717	
		649,622		658,285	

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
04 DIVISION OF HUMAN SERVICES					
02 PROGRAM OPERATIONS					
01 ECONOMIC SERVICES					
10 PERSONAL SERVICES - PERMANENT					
41	AUDIT FUND SET ASIDE	858,343		865,508	
42	TRANSFER TO COLA	6,437		746	
48	TRANS TO OTHER STATE AGYS	502,944		502,944	
91	COUPON ISSUANCE	197,419		207,722	
92	AUDIT FUND SET ASIDE - FOOD ST	35,000		40,000	
94	CLIENT REIMBURSEMENT	15,600		9,000	
	TOTAL	1,625,536		1,648,107	
ESTIMATED SOURCE OF FUNDS FOR					
ECONOMIC SERVICES					
00	FEDERAL FUNDS	750,082		760,472	
03	REVOLVING FUNDS	52,500		52,500	
	GENERAL FUND	822,944		835,135	
	TOTAL	1,625,536		1,648,107	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
04 DIVISION OF HUMAN SERVICES					
02 PROGRAM OPERATIONS					
02 MEDICAL SERVICES					
10 PERSONAL SERVICES - PERMANENT					
41	AUDIT FUND SET ASIDE	1,537,356		1,546,758	
42	TRANSFER TO COLA	1,488		1,518	
46	CONSULTANTS	13,032		13,104	
49	TRANS TO OTHER STATE AGYS	350,000		20,000	
60	BENEFITS	353,592		416,327	
85	HEALTH MEDICAL COSTS	212,000		222,000	
95	HEALTH REIMBURSEMENT	260,000		260,000	
96	PHYSICAL EXAMS	14,500		14,500	
98	MEDICAID FISCAL AGENT CONTRACT	3,160,035		3,286,437	
	TOTAL	5,971,937		6,151,666	
ESTIMATED SOURCE OF FUNDS FOR					
MEDICAL SERVICES					
00	FEDERAL FUNDS	3,773,172		3,894,598	
	GENERAL FUND	2,198,765		2,257,068	
	TOTAL	5,971,937		6,151,666	

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 02 REGION I
 03 SUPPORT ENFORCEMENT

10 PERSONAL SERVICES - PERMANENT
 41 AUDIT FUND SET ASIDE
 45 TRANS TO OTHER STATE AGYS
 60 BENEFITS
 90 CHILD SUPPORT EXPENDITURES
 92 STATE STREET BANK COL FEE

TOTAL

ESTIMATED SOURCE OF FUNDS FOR
 SUPPORT ENFORCEMENT
 00 FEDERAL FUNDS
 01 CURRENT EXPENSES
 02 EQUIPMENT
 40 INDIRECT COSTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL

TOTAL

ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION
 00 FEDERAL FUNDS
 01 CURRENT EXPENSES
 02 EQUIPMENT
 40 INDIRECT COSTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL

TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 03 FIELD OPERATIONS
 02 REGION I

10 PERSONAL SERVICES - PERMANENT
 41 AUDIT FUND SET ASIDE
 42 TRANSFER TO COLA
 60 BENEFITS

TOTAL

2,554,033
 2,314
 29,680
 105,000
 587,428
 163,000
 208,000

3,624,455

2,592,561
 2,379
 30,185
 105,000
 587,428
 163,000
 208,000

3,723,280

2,465,148
 460,862
 698,445
 3,624,455

2,530,579
 505,268
 697,743
 3,723,280

67,500
 41,485
 529,800
 5,311
 3,950
 78,500

772,866

25,900
 35,165
 529,800
 5,311
 3,950
 88,500

761,046

194,658
 578,208
 772,866

91,044
 670,002
 761,046

1,099,167
 596
 8,315
 252,808

1,360,874

1,111,603
 596
 8,315
 266,785

1,387,394

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 03 FIELD OPERATIONS
 02 REGION I
 ESTIMATED SOURCE OF FUNDS FOR
 REGION I
 00 FEDERAL FUNDS
 00 GENERAL FUND
 TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 03 FIELD OPERATIONS
 02 REGION II
 10 PERSONAL SERVICES - PERMANENT
 41 AUDIT FUND SET ASIDE
 42 TRANSFER TO COLA
 60 BENEFITS
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 REGION II
 00 FEDERAL FUNDS
 00 GENERAL FUND
 TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 03 FIELD OPERATIONS
 04 REGION III
 10 PERSONAL SERVICES - PERMANENT
 41 AUDIT FUND SET ASIDE
 42 TRANSFER TO COLA
 60 BENEFITS
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 REGION III
 00 FEDERAL FUNDS
 00 GENERAL FUND
 TOTAL

(CONT)
 (CONT)
 (CONT)
 (CONT)

504,862
 762,512
 1,367,394

593,359
 767,515
 1,360,874

1,288,443
 684
 9,791
 309,226

1,273,798
 680
 9,680
 292,974

1,608,144
 701,015
 907,129
 1,608,144

1,577,132
 687,535
 907,129
 1,577,132

1,316,821
 733
 10,123
 316,037

1,302,393
 733
 10,003
 299,550

1,643,698
 716,199
 927,499
 1,643,698

1,612,655
 702,725
 909,930
 1,612,655

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 03 FIELD OPERATIONS
 05 REGION IV

10 PERSONAL SERVICES - PERMANENT
 41 AUDIT FUND SET ASIDE
 42 TRANSFER TO COLA
 60 BENEFITS

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 REGION IV
 00 FEDERAL FUNDS
 GENERAL FUND
 TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 05 GRANTS
 01 FINANCIAL GRANTS

41 AUDIT FUND SET ASIDE
 90 AFDC
 91 EMERGENCY ASSISTANCE PROGRAM

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FINANCIAL GRANTS
 00 FEDERAL FUNDS
 09 AGENCY INCOME
 GENERAL FUND
 TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 04 DIVISION OF HUMAN SERVICES
 05 GRANTS
 02 OAA APTD GRANTS
 90 OAA GRANTS
 91 APTD GRANTS

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 OAA APTD GRANTS
 05 PRIVATE LOCAL FUNDS
 09 AGENCY INCOME
 GENERAL FUND
 TOTAL

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1,205,652 1,218,135
 656 9,443
 277,300 292,352

1,492,940 1,520,599

651,086 663,070
 9,443 957,529
 1,492,940 1,520,599

12,559 13,709
 23,777,000 24,531,408
 100,000 100,000

23,889,659 24,645,116

11,951,109 12,329,412
 1,486,784 1,670,916
 10,451,766 10,644,788
 23,889,659 24,645,116

1,447,346 1,524,055
 3,846,528 3,499,320

5,293,874 5,023,375

2,646,937 2,511,687
 250,000 260,000
 2,496,937 2,491,688
 5,293,874 5,023,375

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05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
04 DIVISION OF HUMAN SERVICES						
05 GRANTS						
03 ANB GRANTS						
90 ANB GRANTS				339,730	357,736	
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ANB GRANTS				339,730	357,736	
FEDERAL FUND				339,730	357,736	
TOTAL				339,730	357,736	
05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
04 DIVISION OF HUMAN SERVICES						
05 GRANTS						
04 INTERIM & REFUGEE GRANTS						
41 AUDIT FUND SET ASIDE				60,000	60,000	
90 PROVIDER PAYMENT				115,860	121,900	
91 REFUGEE ASSISTANCE						181,950
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
INTERIM & REFUGEE GRANTS				60,060	60,060	
FEDERAL FUNDS				115,860	121,900	
01 OTHER AGENCY FUNDS				175,860	181,950	
TOTAL				175,860	181,950	
05 HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
04 DIVISION OF HUMAN SERVICES						
05 GRANTS						
05 MEDICAL GRANTS						
41 AUDIT FUND SET ASIDE				29,159	32,613	
90 PROVIDER PAYMENT				54,995,042	61,541,266	
91 HCBC ECI				3,322,212	3,684,093	
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR				58,346,413	65,257,972	
MEDICAL GRANTS						
00 FEDERAL FUNDS				29,187,786	32,645,293	
05 PRIVATE LOCAL FUNDS				797,246	758,760	
01 MEDICARE				156,000	156,000	
GENERAL FUND				28,206,883	31,697,919	
TOTAL				58,346,413	65,257,972	

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05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
04 DIVISION OF HUMAN SERVICES								
05 GRANTS								
06 NURSING HOME GRANTS								
41 AUDIT FUND SET ASIDE								
90 NURSING HOMES								
D			51,397	58,103				
			102,794,956	116,206,548				
			102,846,353	116,264,651				
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
NURSING HOME GRANTS								
I				51,448,875	58,161,377			
				31,609,449	35,722,437			
				19,788,029	22,380,837			
				102,846,353	116,264,651			
TOTAL								
05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
04 DIVISION OF HUMAN SERVICES								
05 GRANTS								
07 OTHER NURSING HOMES								
D			691	691				
			1,381,162	1,381,162				
			1,381,853	1,381,853				
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
OTHER NURSING HOMES								
				691,271	691,271			
				690,582	690,582			
				1,381,853	1,381,853			
TOTAL								
05 HEALTH AND SOCIAL SERVICES								
01 DEPT OF HEALTH AND HUMAN SVCS								
04 DIVISION OF HUMAN SERVICES								
05 GRANTS								
06 SOCIAL SERVICES GRANTS								
D			2,135	2,135				
			4,628,159	4,628,159				
			123,800	123,800				
			4,754,094	4,754,094				
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
SOCIAL SERVICES GRANTS								
				2,134,578	2,134,578			
				2,619,516	2,619,516			
				4,754,094	4,754,094			
TOTAL								

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05. HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
05 DIVISION OF HUMAN SERVICES						
05 GRANTS						
09 DOMESTIC VIOLENCE						
90 DOMESTIC VIOLENCE						
TOTAL					140,000	140,000
ESTIMATED SOURCE OF FUNDS FOR						
DOMESTIC VIOLENCE						
09 AGENCY INCOME					140,000	140,000
TOTAL					140,000	140,000
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR					218,149,899	239,450,639
05 DIVISION OF HUMAN SERVICES						
GENERAL FUNDS					106,660,737	117,379,058
OTHER FUNDS					74,005,086	80,412,113
TOTAL					37,484,096	48,659,468
TOTAL					218,149,899	239,450,639
05. HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
05 DIVISION OF MENTAL HEALTH						
01 ADMINISTRATION						
01 OFFICE OF DIRECTOR						
10 PERSONAL SERVICES - PERMANENT						
11 SALARY DIRECTOR/MEDICAL DIRECT					87,872	88,400
20 CURRENT EXPENSES					147,621	147,621
20 CONSULTANTS					10,767	10,767
60 BENEFITS					5,602	5,602
70 IN-STATE TRAVEL					54,164	56,645
80 OUT-OF-STATE TRAVEL					3,000	3,000
TOTAL					6,473	6,473
ESTIMATED SOURCE OF FUNDS FOR					315,499	318,508
OFFICE OF DIRECTOR						
GENERAL FUND					315,499	318,508
TOTAL					315,499	318,508
05. HEALTH AND SOCIAL SERVICES						
01 DEPT OF HEALTH AND HUMAN SVCS						
05 DIVISION OF MENTAL HEALTH						
01 ADMINISTRATION						
02 ADMINISTRATION AND SUPPORT						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES					776,214	790,860
22 RENTALS					50,000	50,000
24 MAINT. OTHER THAN BLDGBRDS					10,000	10,000
TOTAL					50,000	50,000

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
01 ADMINISTRATION AND SUPPORT					
29 TRANSFERS TO INFO. SERVICES					
30 EQUIPMENT					
41 AUDIT FUND SET ASIDE					
46 CONSULTANTS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 TRAINING					
TOTAL		1,349,712		1,296,817	
ESTIMATED SOURCE OF FUNDS FOR					
ADMINISTRATION AND SUPPORT					
00 FEDERAL FUNDS					
GENERAL FUND					
TOTAL		351,620		357,124	
		938,092		939,693	
TOTAL		1,349,712		1,296,817	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
03 ADMINISTRATION AND SUPPORT					
03 EVAL AND QUALITY ASSURANCE					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
46 CONSULTANTS					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 TRAINING					
TOTAL		446,549		442,384	
ESTIMATED SOURCE OF FUNDS FOR					
EVAL AND QUALITY ASSURANCE					
GENERAL FUND					
TOTAL		446,549		442,384	
		446,549		442,384	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 COMMUNITY MENTAL HEALTH SVCS					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
46 CONSULTANTS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL		275,335		275,734	
		8,000		8,000	
		63,327		66,176	
		5,836		5,836	
TOTAL		5,279		5,279	

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
01 ADMINISTRATION					
04 COMMUNITY MENTAL HEALTH SVCS					
90 TRAINING					
91 FAMILY SUPPORT					
92 CASE MANAGEMENT					
93 EMERG. INTAKE & HOSP SVCS					
94 COMMUNITY SUPPORT					
95 EMERGENCY SHELTER					
96 EMERGENCY SHELTER					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR		31,407,777		33,311,025	
COMMUNITY MENTAL HEALTH SVCS					
GENERAL FUND		31,407,777		33,311,025	
TOTAL		31,407,777		33,311,025	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
01 ADMINISTRATION					
05 COMMUNITY DEVELOP. SERVICES					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
60 BENEFITS					
70 IN-STATE TRAVEL					
90 OUT-OF-STATE TRAVEL					
91 CASE MANAGEMENT					
92 DAY PROGRAMS					
93 COMMUNITY RESIDENCES					
94 FAMILY SUPPORT					
96 WAITING LIST					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR		39,549,190		40,060,398	
COMMUNITY DEVELOP. SERVICES					
GENERAL FUND		39,549,190		40,060,398	
TOTAL		39,549,190		40,060,398	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
01 ADMINISTRATION					
06 PUBLIC EDUCATION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
46 CONSULTANTS					
50 PERSONAL SERVICES - OTHER					

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
01 ADMINISTRATION					
06 PUBLIC EDUCATION					
60	BENEFITS		12,080		12,858
70	IN-STATE TRAVEL		2,454		2,454
80	OUT-OF-STATE TRAVEL		1,522		1,522
90	EDUCATIONAL EXPENDITURES		6,000		6,000
TOTAL			105,378		108,418
ESTIMATED SOURCE OF FUNDS FOR					
PUBLIC EDUCATION					
GENERAL FUND			105,378		108,418
TOTAL			105,378		108,418
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
01 ADMINISTRATION					
07 CLIENT AND LEGAL SERVICES					
10	PERSONAL SERVICES - PERMANENT		164,376		168,957
40	CURRENT EXPENSES		15,000		15,600
40	CONSULTANTS		190,000		195,000
60	BENEFITS		37,898		40,550
70	IN-STATE TRAVEL		5,250		5,500
80	OUT-OF-STATE TRAVEL		3,500		3,500
90	PUBLIC GUARDIANSHIP		2,500		2,500
98	INTERIM CARE FUNDS/CLOTHING		687,636		704,036
TOTAL			75,000		75,000
TOTAL			1,183,560		1,212,393
ESTIMATED SOURCE OF FUNDS FOR					
CLIENT AND LEGAL SERVICES					
GENERAL FUND			1,183,560		1,212,393
TOTAL			1,183,560		1,212,393
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
01 ADMINISTRATION					
08 MENTAL HEALTH BLOCK GRANT					
10	PERSONAL SERVICES - PERMANENT		67,880		69,168
20	CURRENT EXPENSES		100		100
40	INDIRECT COSTS		6,748		6,748
41	AUDIT FUND SET ASIDE		2,646		2,646
60	BENEFITS		16,000		16,000
70	IN-STATE TRAVEL		18,071		17,059
97	BLOCK GRANTS		2,513,973		2,513,973
TOTAL			2,613,594		2,615,694

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05 HEALTH AND SOCIAL SERVICES				(CONT)		
01 DEPT OF HEALTH AND HUMAN SVCS				(CONT)		
02 DIVISION OF MENTAL HEALTH				(CONT)		
03 ADMINISTRATION				(CONT)		
08 MENTAL HEALTH BLOCK GRANT						
ESTIMATED SOURCE OF FUNDS FOR						
06 FEDERAL FUNDS					2 613 594	2 615 694
TOTAL					2 613 594	2 615 694
06 HEALTH AND SOCIAL SERVICES						
02 DIVISION OF MENTAL HEALTH SVCS						
03 ADMINISTRATION						
09 HUMAN RESOURCES PLANNING						
20 CURRENT EXPENSES					2,000	
40 INDIRECT COSTS				E	2,754	
41 AUDIT FUND SET ASIDE			D		54	
46 CONSULTANTS					47,292	
70 IN-STATE TRAVEL					47,800	
80 OUT-OF-STATE TRAVEL					1,100	
TOTAL					54,000	54,000
ESTIMATED SOURCE OF FUNDS FOR						
HUMAN RESOURCES PLANNING					54,000	54,000
00 FEDERAL FUNDS					54,000	54,000
TOTAL						
07 HEALTH AND SOCIAL SERVICES						
02 DEPT OF HEALTH AND HUMAN SVCS						
03 DIVISION OF MENTAL HEALTH						
01 ADMINISTRATION						
10 CSP SERVICE SYSTEM IMPROVEMENT						
20 CURRENT EXPENSES					200	
40 INDIRECT COSTS				E	148	
41 AUDIT FUND SET ASIDE				D	52	
70 IN-STATE TRAVEL					400	
80 OUT-OF-STATE TRAVEL					2,000	
90 CONTRACTS					46,300	
TOTAL					51,700	51,700
ESTIMATED SOURCE OF FUNDS FOR						
CSP SERVICE SYSTEM IMPROVEMENT					51,700	51,700
00 FEDERAL FUNDS					51,700	51,700
TOTAL						

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05. HEALTH AND SOCIAL SERVICES							
01 DEPT OF HEALTH AND HUMAN SVCS							
05 DIVISION OF MENTAL HEALTH							
01 ADMINISTRATION							
11 HOMELESS TH BLOCK GRANT							
40 INDIRECT COSTS				514		514	
41 AUDIT FUND SET ASIDE				275		275	
90 TRAINING				9,286		9,286	
93 GRANTS				264,925		264,925	
TOTAL				275,000		275,000	
ESTIMATED SOURCE OF FUNDS FOR							
HOMELESS TH BLOCK GRANT				275,000		275,000	
00 FEDERAL FUNDS				275,000		275,000	
TOTAL							
06. HEALTH AND SOCIAL SERVICES							
01 DEPT OF HEALTH AND HUMAN SVCS							
05 DIVISION OF MENTAL HEALTH							
01 ADMINISTRATION							
12 COMM MENTAL HEALTH PLANNING							
10 PERSONAL SERVICES - PERMANENT				39,468		39,468	
40 INDIRECT COSTS				3,375		3,375	
41 AUDIT FUND SET ASIDE				82		82	
50 PERSONAL SERVICES - OTHER				16,000		16,000	
60 BENEFITS				9,716		9,716	
91 GRANTS				21,663		21,663	
TOTAL				82,200		82,200	
ESTIMATED SOURCE OF FUNDS FOR							
COMM MENTAL HEALTH PLANNING				82,200		82,200	
00 FEDERAL FUNDS				82,200		82,200	
TOTAL							
05. HEALTH AND SOCIAL SERVICES							
01 DEPT OF HEALTH AND HUMAN SVCS							
05 DIVISION OF MENTAL HEALTH							
01 ADMINISTRATION							
13 MEDICAID FEDERAL							
41 AUDIT FUND SET ASIDE				26,733		26,733	
91 INSTITUTIONAL MEDICAID				9,750,000		9,750,000	
92 CHH MEDICAID				3,701,624		3,701,624	
95 CDS MEDICAID				13,254,416		13,254,416	
TOTAL				26,732,773		26,732,773	
ESTIMATED SOURCE OF FUNDS FOR							
MEDICAID FEDERAL				26,732,773		26,732,773	
00 FEDERAL FUNDS				26,732,773		26,732,773	
TOTAL							

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 01 ADMINISTRATION GRANT
 14 RM JOHNSON GRANT

10 PERSONAL SERVICES - PERMANENT
 16 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 GRANTS

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

RM JOHNSON GRANT

05 PRIVATE LOCAL FUNDS

TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 02 GLENCLIFF HOME FOR THE ELDERLY
 01 PROFESSIONAL CARE

10 PERSONAL SERVICES - PERMANENT
 18 PERMANENT EMPLOYEE OVERTIME
 19 HOLIDAY PAY
 20 CURRENT EXPENSES
 21 FOOD INSTITUTIONS
 22 CURRENT EXPENSES
 23 CURRENT EXPENSES
 24 CURRENT EXPENSES
 25 CURRENT EXPENSES
 26 CURRENT EXPENSES
 27 CURRENT EXPENSES
 28 CURRENT EXPENSES
 29 CURRENT EXPENSES
 30 PERSONAL SERVICES - OTHER
 31 BENEFITS
 32 WORK THERAPY
 33 IN-SERVICE TRAINING

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

PROFESSIONAL CARE

GENERAL FUND

TOTAL

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 02 GLENCLIFF HOME FOR THE ELDERLY
 02 CUSTODIAL CARE

10 PERSONAL SERVICES - PERMANENT
 18 PERMANENT EMPLOYEE OVERTIME
 19 HOLIDAY PAY
 20 CURRENT EXPENSES
 21 FOOD INSTITUTIONS
 22 CURRENT EXPENSES
 23 CURRENT EXPENSES
 24 CURRENT EXPENSES
 25 CURRENT EXPENSES
 26 CURRENT EXPENSES
 27 CURRENT EXPENSES
 28 CURRENT EXPENSES
 29 CURRENT EXPENSES
 30 PERSONAL SERVICES - OTHER
 31 BENEFITS

TOTAL

30,303
 6,970
 7,600
 1,000
 1,000
 1,000
 1,850
 153,900

196,235

196,018

1

196,235

196,018

196,235

196,018

1,337,356
 40,520
 33,105
 33,105
 93,140
 57,600
 57,600
 153,171
 333,567
 359,258
 2,464
 8,118
 6,689

2,043,148

2,121,283

2,043,148

2,121,283

2,043,148

2,121,283

373,937
 847
 847
 4,863
 8,156
 14,317
 29,266
 89,558

725,823

739,383

0

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05. HEALTH AND SOCIAL SERVICES								
01. DEPT OF HEALTH AND HUMAN SVCS								
05. DIVISION OF MENTAL HEALTH								
02. GLENCLIFF HOME FOR THE ELDERLY								
02. CUSTODIAL CARE								
ESTIMATED SOURCE OF FUNDS FOR								
CUSTODIAL CARE								
09. AGENCY INCOME								
GENERAL FUND								
TOTAL								
					6,760	6,760	6,760	
					739,823	739,823	739,823	
05. HEALTH AND SOCIAL SERVICES								
01. DEPT OF HEALTH AND HUMAN SVCS								
05. DIVISION OF MENTAL HEALTH								
02. GLENCLIFF HOME FOR THE ELDERLY								
03. MAINTENANCE								
10. PERSONAL SERVICES - PERMANENT								
18. PERMANENT EMPLOYEE OVERTIME					308,071		311,511	
20. CURRENT EXPENSES					9,580		10,580	
23. HEAT, ELECTRICITY & WATER					73,498		79,577	
30. EQUIPMENT					96,306		100,208	
47. OWN FORCES MAINT-BUDGARDS					65,750		135,022	
48. OWN FORCES MAINT-BUDGARDS					51,351		15,000	
50. PERSONAL SERVICES - OTHER					13,804		13,979	
60. BENEFITS					74,937		79,227	
TOTAL						741,702		756,670
ESTIMATED SOURCE OF FUNDS FOR								
MAINTENANCE								
GENERAL FUND								
TOTAL					741,702	741,702	756,670	
05. HEALTH AND SOCIAL SERVICES								
01. DEPT OF HEALTH AND HUMAN SVCS								
05. DIVISION OF MENTAL HEALTH								
02. GLENCLIFF HOME FOR THE ELDERLY								
04. ADMINISTRATION								
10. PERSONAL SERVICES - PERMANENT								
11. SALARY OF SUPERINTENDENT					144,264		145,373	
20. CURRENT EXPENSES					44,853		45,053	
50. PERSONAL SERVICES - OTHER					31,812		36,609	
60. BENEFITS					47,816		47,822	
70. IN-STATE TRAVEL					3,500		3,500	
80. OUT-OF-STATE TRAVEL					5,000		5,000	
TOTAL						291,489		299,801
ESTIMATED SOURCE OF FUNDS FOR								
ADMINISTRATION								
GENERAL FUND								
TOTAL					291,489	291,489	299,801	

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 02 GLENCILIFF HOME FOR THE ELDERLY
 05 LIBRARY SERVICES

20 CURRENT EXPENSES	3,188	3,188	3,188
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR			
LIBRARY SERVICES			
05 PRIVATE LOCAL FUNDS	3,188	3,188	3,188
TOTAL			

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 03 LACONIA DEVELOPMENTAL SERVICES
 01 ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT	335,835		340,611
12 PERSONAL SERVICES-UNCLASSIFIED	56,590		59,166
20 CURRENT EXPENSES	28,000		29,000
24 MAINT OTHER THAN BLDG&GRNDS	4,000		4,000
30 EQUIPMENT	4,000		4,000
46 CONSULTANTS	35,000		35,000
50 PERSONAL SERVICES - OTHER	33,092		33,092
60 PERSONAL SERVICES - OTHER	92,150		92,150
70 IN-STATE TRAVEL	7,500		7,500
80 OUT-OF-STATE TRAVEL	7,000		7,000
90 EDUCATIONAL ASSISTANCE	10,000		10,000
TOTAL		605,807	619,096
ESTIMATED SOURCE OF FUNDS FOR			
ADMINISTRATION			
GENERAL FUND	605,807	605,807	619,096
TOTAL			

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 03 LACONIA DEVELOPMENTAL SERVICES
 02 PERSONAL RIGHT/SUPPORT SERV

10 PERSONAL SERVICES - PERMANENT	1,054,111		1,062,259
13 ASS'T SUPERINTENDENT	48,695		48,695
18 PERMANENT EMPLOYEE OVERTIME	12,000		12,000
20 CURRENT EXPENSES	406,224		417,465
21 FOOD INSTITUTIONS	185,000		185,000
23 HEAT, ELECTRICITY & WATER	460,000		460,000
24 MAINT OTHER THAN BLDG&GRNDS	42,000		47,000
30 PERSONAL SERVICES - PERMANENT	7,000		7,000
46 CONSULTANTS	7,000		7,000

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05 HEALTH AND SOCIAL SERVICES							
01 DEPT OF HEALTH AND HUMAN SVCS							
05 DIVISION OF MENTAL HEALTH							
03 LACONIA DEVELOPMENTAL SERVICES							
02 FINANCIAL MGMT/SUPPORT SERV							
47 OWN FORCES MAINT-BLOG&GRNDS							
G			17,100			17,100	
G			113,850			63,850	
			120,000			96,000	
			66,261			66,261	
			278,498			278,498	
			3,500			3,500	
			1,500			1,500	
				2,885,201			2,832,008
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
FINANCIAL MGMT/SUPPORT SERV							
I			54,614			57,510	
I			1,700			1,700	
I			81,053			76,787	
			2,885,201			2,696,011	
							2,832,008
TOTAL							
05 HEALTH AND SOCIAL SERVICES							
01 DEPT OF HEALTH AND HUMAN SVCS							
05 DIVISION OF MENTAL HEALTH							
03 LACONIA DEVELOPMENTAL SERVICES							
03 RESIDENTIAL SERVICES							
10 PERSONAL SERVICES - PERMANENT							
			3,027,538			2,920,224	
			85,000			75,000	
			21,200			18,920	
			1,350			1,350	
			20,030			18,230	
			80,198			1,017,513	
			9,500			81,500	
			4,500			11,500	
				4,920,964			4,969,331
TOTAL							
ESTIMATED SOURCE OF FUNDS FOR							
RESIDENTIAL SERVICES							
			4,920,964			4,969,331	
							4,969,331
							4,969,331
TOTAL							

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 03 LACONIA DEVELOPMENTAL SERVICES
 04 HABILITATIVE SERVICES

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 24 MAINT OTHER THAN BLDGGRNDS
 30 EQUIPMENT
 46 CONSULTANTS
 50 BENEFITS
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 RESIDENT SPECIAL ACTIVITIES
 93 RESIDENT PATROLL

980,039
 11,900
 2,500
 10,900
 13,350
 215,000
 241,909
 248,824
 4,000
 6,000
 9,000
 35,000

1,532,486

1,507,964

TOTAL

ESTIMATED SOURCE OF FUNDS FOR
 HABILITATIVE SERVICES
 GENERAL FUND
 TOTAL

1,532,486

1,507,964

1,507,964

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 03 LACONIA DEVELOPMENTAL SERVICES
 05 SUPPORT SERVICES

10 PERSONAL SERVICES - PERMANENT
 12 PERSONAL SERVICES - ASSISTED
 19 HOLIDAY PAY
 20 CURRENT EXPENSES
 24 MAINT OTHER THAN BLDGGRNDS
 46 CONSULTANTS
 48 PERSONNEL SVCS-NON BENEFIT
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 93 LIBERTY HEALTH CARE CONTRACT

403,263
 53,265
 23,750
 20,250
 96,500
 31,500
 31,000
 2,000
 116,505
 1,000
 1,000
 489,000

1,257,043

1,267,594

1,267,594

TOTAL

ESTIMATED SOURCE OF FUNDS FOR
 SUPPORT SERVICES
 GENERAL FUND
 TOTAL

1,257,043

1,267,594

1,267,594

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 03 LACONIA DEVELOPMENTAL SERVICES
 06 GROUP HOMES

10 PERSONAL SERVICES - PERMANENT
 18 PERMANENT EMPLOYEE OVERTIME
 19 HOLIDAY PAY
 20 CURRENT EXPENSES
 21 FOOD INSTITUTIONS
 22 HEALTH MAINTENANCE & WATER
 23 MAINT OTHER THAN BLDG&GRND
 30 EQUIPMENT
 48 CONTRACTUAL MAINT-BLDG&GRND
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 SPECIAL ACTIVITY

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 GROUP HOMES
 GENERAL FUND
 TOTAL

1,341,883
 1,341,883
 1,341,883

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 05 DIVISION OF MENTAL HEALTH
 03 LACONIA DEVELOPMENTAL SERVICES
 07 COMMUNITY SUPPORT

10 PERSONAL SERVICES - PERMANENT
 18 PERMANENT EMPLOYEE OVERTIME
 20 CURRENT EXPENSES
 21 FOOD INSTITUTIONS
 22 HEALTH MAINTENANCE & WATER
 23 MAINT OTHER THAN BLDG&GRND
 30 EQUIPMENT
 46 CONSULTANTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 COMMUNITY SUPPORT
 GENERAL FUND
 TOTAL

693,311
 693,311
 693,311

882,815
 10,000
 15,000
 2,000
 16,655
 6,500
 6,700
 14,600
 2,000
 122,487
 221,507
 500
 500
 1,000

1,365,524
 1,365,524
 1,365,524

348,481
 1,000
 40,000
 500
 48,000
 5,000
 187,129
 90,106
 3,000
 3,000

666,216
 666,216
 666,216

899,863

353,268

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05 HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS

05 DIVISION OF MENTAL HEALTH

04 NEW HAMPSHIRE HOSPITAL

01 ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT

11 SALARY OF SUPERINTENDENT

12 ASST SUPERINTENDENT

20 HOLIDAY PAY

30 CURRENT EXPENSES

50 EQUIPMENT

46 CONSULTANTS

50 PERSONAL SERVICES - OTHER

50 BENEFITS

60 RETIREMENT

80 OUT-OF-STATE TRAVEL

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

01 OTHER AGENCY FUNDS

06 AGENCY INCOME

GENERAL FUND

TOTAL

05 HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS

05 DIVISION OF MENTAL HEALTH

04 NEW HAMPSHIRE HOSPITAL

02 SUPPORT SERVICES

10 PERSONAL SERVICES - PERMANENT

19 HOLIDAY PAY

20 CURRENT EXPENSES

22 RENTALS

22 RENTS & LEASES TO NON-STATE

23 HEAT, ELECTRICITY & WATER

24 MAINT. OTHER THAN BLDG&GRNDS

46 CONSULTANTS

48 CONTRACTUAL MAINT-BLDG&GRNDS

50 PERSONAL SERVICES - OTHER

50 BENEFITS

90 MANAGEMENT SERVICES

TOTAL

ESTIMATED SOURCE OF FUNDS FOR

SUPPORT SERVICES

01 OTHER AGENCY FUNDS

GENERAL FUND

TOTAL

632,314
59,465
48,464
48,464
800
150,000
131,579
100,000
100,000
25,000
26,468
170,896
8,000
13,500

1,198,316

1,258,084

14,085
10,000
1,132,316
1,132,316

14,112
10,000
1,230,922
1,258,084

4,258,852
4,332,240
800,000
850,000
325,906
78,780
1,400,000
1,400,000
10,000
5,000
40,000
17,877
235,694
1,622,934
590,000

8,699,486

9,024,404

693,473
8,005,007
8,699,486

672,354
8,352,050
9,024,404

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
05 TERTIARY CARE					
10 PERSONAL SERVICES - PERMANENT					
12 PERSONAL SERVICES--UNCLASSIFIED					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
90 DARTMOUTH					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				12,894,706	13,344,022
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
06 TRANSITIONAL HOUSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
21 FOOD INSTITUTIONS					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				625,502	650,899
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
06 TRANSITIONAL HOUSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
21 FOOD INSTITUTIONS					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				312,781	325,350
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
06 TRANSITIONAL HOUSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
21 FOOD INSTITUTIONS					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				154,293,048	157,945,642
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
06 TRANSITIONAL HOUSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
21 FOOD INSTITUTIONS					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				30,473,638	30,493,841
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
06 TRANSITIONAL HOUSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
21 FOOD INSTITUTIONS					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				122,627,296	126,283,372
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
06 TRANSITIONAL HOUSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
21 FOOD INSTITUTIONS					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				1,192,114	1,168,429
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
05 DIVISION OF MENTAL HEALTH					
04 NEW HAMPSHIRE HOSPITAL					
06 TRANSITIONAL HOUSING					
10 PERSONAL SERVICES - PERMANENT					
19 HOLIDAY PAY					
20 CURRENT EXPENSES					
21 FOOD INSTITUTIONS					
30 TRANSFERRED SERVICES - OTHER					
60 BENEFITS					
TOTAL ESTIMATED SOURCE OF FUNDS FOR				154,293,048	157,945,642

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05. HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS
02 DIV OF ELDERLY & ADULT SVCS
03 STATE OFFICE ADMINISTRATION
04 CENTRAL OFFICE I

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF DIRECTOR
20 PERSONAL SERVICES - OTHER
60 BENEFITS
70 IN-STATE TRAVEL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
CENTRAL OFFICE I
00 FEDERAL FUNDS
GENERAL FUND
TOTAL

05. HEALTH AND SOCIAL SERVICES

01 DEPT OF HEALTH AND HUMAN SVCS
06 DIV OF ELDERLY & ADULT SVCS
07 STATE OFFICE ADMINISTRATION
08 CENTRAL OFFICE II

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF DIRECTOR
20 PERSONAL SERVICES - OTHER
24 MAIN OTHER THAN BLDG&GRNDS
40 INDIRECT COSTS
41 AUDIT FUND SET ASIDE
60 BENEFITS
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
CENTRAL OFFICE II
00 FEDERAL FUNDS
GENERAL FUND
TOTAL

356,145
35,334
88,800
6,240

489,122

482,346
10,276
472,070
482,346

10,534
478,588
489,122

312,863
48,695
55,195
1,364
16,000
83,700
87,910
9,154
663

536,877

522,965
300,000
222,965
522,965

THE FEDERAL FUNDS IN THIS SUB-COMPONENT REPRESENT THE ESTIMATED PAYROLL AMOUNT FOR PERSONNEL SERVICES. THIS SUB-COMPONENT MUST BE FUNDED WITH GENERAL FUNDS IN THE EVENT THAT ADDITIONAL FEDERAL FUNDS BECOME AVAILABLE FOR THE PROGRAMS FUNDED BY THIS SUB-COMPONENT. THEY ARE HEREBY SET ASIDE FOR THE PURPOSES OF THE APPROPRIATION ACT. THE ADDITIONAL AMOUNT OF \$1,364,000 SHALL BE REDUCED BY THE ADDITIONAL AMOUNT OF \$1,364,000.

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 06 DIV OF ELDERLY & ADULT SVCS
 02 PROGRAM OPERATIONS
 01 STATE OFFICE ADMINISTRATION
 02 CENTRAL OFFICE II
 (CONT)
 (CONT)
 (CONT)
 (CONT)

FEDERAL FUNDS

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 06 DIV OF ELDERLY & ADULT SVCS
 02 PROGRAM OPERATIONS
 01 FIELD OPERATIONS
 10 PERSONAL SERVICES - PERMANENT
 60 BENEFITS
 70 IN-STATE TRAVEL
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FIELD OPERATIONS
 GENERAL FUND
 TOTAL

1,298,710
 298,243
 52,455
 1,647,408
 1,647,408
 1,647,408
 1,676,436
 1,676,436
 1,676,436

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 06 DIV OF ELDERLY & ADULT SVCS
 02 PROGRAM OPERATIONS
 02 AREA COORDINATION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 TRAVEL
 22 TRAVEL TO NON-STATE
 22 TRAVEL ELECTRICITY & WATER
 30 EQUIPMENT
 41 AUDIT FUND SET ASIDE
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 AREA COORDINATION
 GENERAL FUND
 GENERAL FUND
 TOTAL

109,738
 7,500
 1,310
 1,310
 4,160
 128
 25,240
 2,023
 1,364
 170,512
 170,512
 130,573
 43,535
 174,108

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 05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 06 DIV OF ELDERLY & ADULT SVCS
 03 GRANTS TO LOCALS
 01 04A
 41 AUDIT FUND SET ASIDE
 91 SOCIAL SERVICE PROGRAMS
 92 NUTRITION - STATE
 93 NUTRITION - STATE
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 04A
 001 FEDERAL FUNDS
 002 GENERAL FUND
 TOTAL
 05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 06 DIV OF ELDERLY & ADULT SVCS
 03 GRANTS TO LOCALS
 02 558G
 20 CURRENT EXPENSES
 41 AUDIT FUND SET ASIDE
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 91 HOMEAKER
 92 ADULT IN HOME
 93 CONGREGATE HOUSING
 94 AGRD
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 558G
 001 FEDERAL FUNDS
 002 GENERAL FUND
 TOTAL
 05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 06 DIV OF ELDERLY & ADULT SVCS
 03 GRANTS TO LOCALS
 03 TRAVEL FOR ACTION
 90 CONTRACTS & GRANTS
 91 RETIRED SR VOLUNTEER GRANDPAREN
 92 RETIRED SR VOLUNTEER PROGRAM
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 TRAVEL FOR ACTION

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----
 D
 3,373
 1,350,000
 2,218,000
 477,792
 4,049,165
 3,372,805
 676,360
 4,049,165
 2,000
 4,649
 2,000
 1,000
 5,769,104
 150,000
 510,000
 126,360
 142,840
 6,721,313
 4,648,828
 2,072,485
 6,721,313
 71,074
 71,724
 67,950
 210,748
 200,649
 63,080
 68,287
 63,282

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
00 OUT-OF-STATE TRAVEL					
03 GRANTS TO LOCALS					
03 TRAVEL FOR ACTION					
GENERAL FUND					
TOTAL				200,649	210,748
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
06 DIV OF ELDERLY & ADULT SVCS					
03 GRANTS TO LOCALS					
04 USDA PAYMENTS					
41 AUDIT FUND SET ASIDE					
90 USDA MEALS REIMBURSEMENT					
TOTAL				821	862
ESTIMATED SOURCE OF FUNDS FOR				820,000	861,000
USDA PAYMENTS					
00 FEDERAL FUNDS					
TOTAL				820,821	861,862
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
06 DIV OF ELDERLY & ADULT SVCS					
01 ELDERLY DISCOUNT PROGRAM					
01 ELDERLY DISCOUNT PROGRAM					
20 CURRENT EXPENSES					
70 IN-STATE TRAVEL					
TOTAL				6,000	6,500
ESTIMATED SOURCE OF FUNDS FOR				500	
ELDERLY DISCOUNT PROGRAM					
09 AGENCY INCOME					
TOTAL				6,500	6,500
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
06 DIV OF ELDERLY & ADULT SVCS					
05 TRAINING PROGRAM					
01 TITLE IV TRAINING					
20 CURRENT EXPENSES					
40 DIRECT COSTS					
41 AUDIT FUND SET ASIDE					
46 CONSULTANTS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
TOTAL				4,859	4,859
ESTIMATED SOURCE OF FUNDS FOR				821	862
TITLE IV TRAINING				30	30
				12,871	12,871
				4,032	4,032
				7,314	7,314
				30,000	30,000

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05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
06 DIV OF ELDERLY & ADULT SVCS					
00 PERSONAL SERVICES - PERMANENT					
01 TRAINING PROGRAM					
01 TITLE IV TRAINING					
00 FEDERAL FUNDS		30,000		30,000	
TOTAL		30,000		30,000	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
06 DIV OF ELDERLY & ADULT SVCS					
00 PERSONAL SERVICES - PERMANENT					
01 ADVOCACY ASSISTANCE IIIB					
10 PERSONAL SERVICES - PERMANENT		69,444		71,383	
20 CURRENT EXPENSES		7,588		9,938	
40 INDIRECT COSTS		97		97	
60 BENEFITS		15,972		17,132	
70 IN-STATE TRAVEL		4,750		5,415	
80 OUT-OF-STATE TRAVEL		1,472		1,472	
TOTAL		99,323		105,441	
ESTIMATED SOURCE OF FUNDS FOR					
ADVOCACY ASSISTANCE IIIB					
00 FEDERAL FUNDS		96,731		102,689	
GENERAL FUND		2,592		2,752	
TOTAL		99,323		105,441	
05 HEALTH AND SOCIAL SERVICES					
01 DEPT OF HEALTH AND HUMAN SVCS					
06 DIV OF ELDERLY & ADULT SVCS					
00 PERSONAL SERVICES - PERMANENT					
02 ADVOCACY ASSISTANCE TITLE IV					
10 PERSONAL SERVICES - PERMANENT		52,493		54,821	
40 INDIRECT COSTS		2,000		2,000	
60 BENEFITS		50		50	
TOTAL		12,073		13,157	
ESTIMATED SOURCE OF FUNDS FOR		56,616		70,028	
ADVOCACY ASSISTANCE TITLE IV					
00 FEDERAL FUNDS		50,000		50,000	
GENERAL FUND		16,616		20,028	
TOTAL		66,616		70,028	

THE FEDERAL FUNDS IN THIS SUB-COMPONENT
 ARE THE FEDERAL FUNDS IN THE PERMANENT
 PAY RAISES ISSUED IN THIS
 SUB-COMPONENT MUST BE FUNDED WITH GENERAL

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 06 DIV OF ELDERLY & ADULT SVCS
 06 OFFICE OF OHBUDSMAN
 02 ADVOCACY ASSISTANCE TITLE IV

(CONT)
 (CONT)
 (CONT)
 (CONT)

FUNDS IN THE EVENT THAT ADDITIONAL FEDERAL FUNDS BECOME AVAILABLE FOR THE PROGRAMS FUNDED BY THIS SUB-COMPONENT THEY ARE HEREBY APPROPRIATED AND THE GENERAL FUND APPROPRIATION THEREBY REDUCED BY THE ADDITIONAL AMOUNT OF FEDERAL FUNDS

TOTAL ESTIMATED SOURCE OF FUNDS FOR DIV OF ELDERLY & ADULT SVCS	14,696,535	14,931,600
FEDERAL FUNDS	9,457,340	9,507,291
GENERAL FUND	5,239,195	5,424,309
OTHER FUNDS	14,696,535	14,931,600
TOTAL		

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 07 DIV OF ATTACHED BOARDS
 01 CHIROPRACTIC EXAMINERS

20 CURRENT EXPENSES	6,532	6,532
30 EQUIPMENT	2,100	
50 PERSONAL SERVICES - OTHER	8,109	8,109
60 BENEFITS	1,620	1,620
70 IN-STATE TRAVEL	1,350	1,350
80 OUT-OF-STATE TRAVEL	1,455	1,455
TOTAL	20,866	18,766

ESTIMATED SOURCE OF FUNDS FOR CHIROPRACTIC EXAMINERS	20,866	18,766
GENERAL FUND	20,866	18,766
TOTAL	20,866	18,766

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
 ALL BOARDS AND COMMISSIONS WHICH HAVE NOT ALREADY ESTABLISHED FEES FOR EXAMINATION APPLICANTS, APPLICANTS FOR A LICENSE OR REGISTRATION, OR APPLICANTS FOR THE SALE OR RENEWAL OF A LICENSE OR REGISTRATION SPECIFICALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT RULES UNDER RSA 541-A RELATIVE TO FEES FOR SUCH PROGRAMS. SUCH FEES SHALL COVER, ON AN

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05 HEALTH AND SOCIAL SERVICES
07 DEPT OF HEALTH AND HUMAN SVCS
07 ADMIN ATTACHED BOARDS
01 CHIROPRACTIC EXAMINERS

(CONT.)
(CONT.)
(CONT.)

ANNUAL OR BIENNIAL BASIS THE FULL COST OF THE PROGRAM INCLUDING THE COST OF SUPPORT AND ADMINISTRATIVE SERVICES PROVIDED BY THE BOARD OR COMMISSION RELATING TO THE PROGRAM, WHICHEVER IS GREATER. A BOARD OR COMMISSION WHICH ESTABLISHES FEES FOR EXAMINATION APPLICANTS MAY EXPENDS OR SUPPLIES, AS NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF THE EXAMINATION.

05 HEALTH AND SOCIAL SERVICES
07 DEPT OF HEALTH AND HUMAN SVCS
07 ADMIN ATTACHED BOARDS
01 COSMETOLOGY & BARBERS BD
01 COSMETOLOGY & BARBERS BD
10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
28 TRANSFERS TO GEN L SERVICES
30 EQUIPMENT
50 PERSONAL SERVICES - OTHER
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL

TOTAL
ESTABLISHED SOURCE OF FUNDS FOR
COSMETOLOGY & BARBERS BD
GENERAL FUND
TOTAL

51,908
8,755
5,865
15,450
13,121
5,459
970

109,528

109,528
109,528

53,996
8,750
6,880
15,450
14,141
5,459
970

105,636

105,636
105,636

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS ALL BOARDS AND COMMISSIONS SHALL HAVE THE AUTHORITY TO ESTABLISH FEES FOR EXAMINATION APPLICANTS, APPLICANTS FOR A LICENSE OR REGISTRATION, A PUBLICATION WHICH THEY SELL, OR ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFICALLY AUTHORIZED TO MAKE SMALL PROFITS. FEES FOR SUCH PROGRAMS, EXCEPT FEES FOR RECOVERY, ON AN ANNUAL OR BIENNIAL BASIS THE FULL COST OF THE PROGRAM INCLUDING THE COST OF SUPPORT AND ADMINISTRATIVE SERVICES PROVIDED BY OTHER

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05. HEALTH AND SOCIAL SERVICES (CONT.)
 01. DEPT OF HEALTH AND HUMAN SVCS (CONT.)
 07. ADMIN ATTACHED BOARDS (CONT.)
 D2 COSMETOLOGY & BARBERS BD (CONT.)

AGENCIES, OR 12% OF THE DIRECT COST OF THE BOARD OR COMMISSION RELATING TO THE PROGRAM, WHICHEVER IS GREATER. A BOARD OR COMMISSION WHICH ESTABLISHES FEES OR EXAMINATION FEES OR EXAMINATION FEES SHALL BE SUBJECT TO THE FEES FOR EXAMINATIONS, RELATED SERVICES, OR SUPPLIES, AS NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF THE EXAMINATION.

05. HEALTH AND SOCIAL SERVICES
 01. DEPT OF HEALTH AND HUMAN SVCS
 07. ADMIN ATTACHED BOARDS
 03. DENTAL BOARD
 01. ADMINISTRATION & SUPPORT

10 PERSONAL SERVICES - PERMANENT 49,841
 20 CURRENT EXPENSES 7,195
 30 EQUIPMENT 1,000
 40 TRANS TO OTHER STATE AGENS 19,200
 49 TRANS TO OTHER STATE AGENS 19,108
 50 REVENUES 12,845
 60 BENEFITS 12,845
 70 IN-STATE TRAVEL 13,425
 80 OUT-OF-STATE TRAVEL 2,306
 4,008

TOTAL 107,979 110,960

ESTIMATED SOURCE OF FUNDS FOR
 ADMINISTRATION & SUPPORT
 GENERAL FUND
 TOTAL 107,979 110,960

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
 AND COMMISSIONS AND COMMISSIONS WHICH HAVE NOT
 ALREADY ESTABLISHED FEES FOR EXAMINATION
 REGISTRATION, APPLICANTS FOR A LICENSE OR
 REGISTRATION, A PUBLICATION WHICH THEY SELL, OR
 ANY OTHER PROGRAM WHICH THEY ARE SUBJECT TO
 ANY OTHER PROGRAM TO CHARGE A FEE SHALL ADOPT
 RULES UNDER RSA 541-A RELATIVE TO FEES FOR SUCH
 PROGRAMS. SUCH FEES SHALL RECOVER, ON AN
 ANNUAL OR BIENNIAL BASIS THE FULL COST OF THE
 PROGRAM INCLUDING THE COST OF OFFICE AND
 PROGRAMS. AGENCY OR 12% OF THE DIRECT COST OF THE
 BOARD OR COMMISSION RELATING TO THE PROGRAM,
 WHICHEVER IS GREATER. A BOARD OR COMMISSION

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05 HEALTH AND SOCIAL SERVICES (CONT.)
01 DEPT OF HEALTH AND HUMAN SVCS (CONT.)
07 ADMIN ATTACHED BOARDS (CONT.)
03 DENTAL BOARD (CONT.)
01 ADMINISTRATION & SUPPORT

WHICH ESTABLISHES FEES FOR EXAMINATION
APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINA-
TIONS, RELATED SERVICES, OR SUPPLIES, AS
NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF
THE EXAMINATION

05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
07 ADMIN ATTACHED BOARDS
04 ELECTROLYSIS BOARD

20 CURRENT EXPENSES	1,300	
70 IN-STATE TRAVEL	145	
TOTAL		1,445
ESTIMATED SOURCE OF FUNDS FOR		
ELECTROLYSIS BOARD	1,445	
05 AGENCY INCOME	1,445	
TOTAL		1,445

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS.
ALL BOARDS AND COMMISSIONS WHICH HAVE NOT
ALREADY ESTABLISHED FEES FOR EXAMINATION
APPLICANTS FOR A LICENSED PROFESSIONAL
REGISTRY, APPLICANTS FOR A LICENSED
REGISTERED PROGRAM FOR WHICH THEY ARE SPECIFIC-
ALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT
RULES UNDER RSA 541-A RELATIVE TO FEES FOR SUCH
PROGRAMS. SUCH FEES SHALL RECOVER THE ANNUAL
OPERATING BUDGET OF THE BOARD OR COMMISSION
INCLUDING THE COST OF SUPPORT AND
ADMINISTRATIVE SERVICES PROVIDED BY OTHER
AGENCIES, OR 125% OF THE DIRECT COST OF THE
BOARD OR COMMISSION RELATING TO THE PROGRAM,
WHICHEVER IS GREATER. FEES FOR EXAMINATION
APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINA-
TIONS, RELATED SERVICES, OR SUPPLIES, AS
NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF
THE EXAMINATION

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05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 07 ADMIN ATTACHED BOARDS
 05 FUNERAL DIRECTORS & EMBALMERS

20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 30 EQUIPMENT
 40 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FUNERAL DIRECTORS & EMBALMERS
 GENERAL FUND
 TOTAL

4,444
 120
 3,500
 8,039
 615
 2,780
 800

20,298

16,798

20,298

16,798

20,298

16,798

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
 AND THE FUNDING OF COMMISSIONS WHICH HAVE NOT
 ALREADY ESTABLISHED FEES FOR REGISTRATION
 APPLICANTS, APPLICANTS FOR A LICENSE OR
 REGISTRATION, A PUBLICATION WHICH THEY SELL, OR
 ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFIC-
 ALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT
 RULES UNDER RSA 541 RELATIVE TO THE FUNDING OF SUCH
 PROGRAMS. SUCH FEES SHALL RECOVER, ON AN ANNUAL
 OR BIENNIAL BASIS THE FULL COST OF THE
 PROGRAM INCLUDING THE COST OF SUPPORT AND
 ADMINISTRATION PROVIDED BY OTHER
 AGENCIES OR 125% OF THE DIRECT COSTS OF THE
 BOARD OR COMMISSION RELATING TO THE PROGRAM,
 WHICHEVER IS GREATER. A BOARD OR COMMISSION
 WHICH ESTABLISHES FEES FOR EXAMINATION
 OF CANDIDATES FOR SUCH FEES SHALL PROVIDE
 ADDITIONAL RELATED SERVICES OR SUPPORT AS
 NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF
 THE EXAMINATION

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 07 ADMIN ATTACHED BOARDS
 06 MEDICINE, BOARD OF
 01 ADMINISTRATION & SUPPORT

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 49 TRANS TO OTHER STATE AGYS

36,850
 26,350
 1,300
 50,950

F

37,231
 26,350
 50,950

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	FISCAL YEAR 1990	FISCAL YEAR 1991
1. Total	100.0	100.0
2. Government	10.0	10.0
3. Non-Government	90.0	90.0
4. Total	100.0	100.0
5. Government	10.0	10.0
6. Non-Government	90.0	90.0
7. Total	100.0	100.0
8. Government	10.0	10.0
9. Non-Government	90.0	90.0
10. Total	100.0	100.0
11. Government	10.0	10.0
12. Non-Government	90.0	90.0
13. Total	100.0	100.0
14. Government	10.0	10.0
15. Non-Government	90.0	90.0
16. Total	100.0	100.0
17. Government	10.0	10.0
18. Non-Government	90.0	90.0
19. Total	100.0	100.0
20. Government	10.0	10.0
21. Non-Government	90.0	90.0
22. Total	100.0	100.0
23. Government	10.0	10.0
24. Non-Government	90.0	90.0
25. Total	100.0	100.0
26. Government	10.0	10.0
27. Non-Government	90.0	90.0
28. Total	100.0	100.0
29. Government	10.0	10.0
30. Non-Government	90.0	90.0
31. Total	100.0	100.0
32. Government	10.0	10.0
33. Non-Government	90.0	90.0
34. Total	100.0	100.0
35. Government	10.0	10.0
36. Non-Government	90.0	90.0
37. Total	100.0	100.0
38. Government	10.0	10.0
39. Non-Government	90.0	90.0
40. Total	100.0	100.0
41. Government	10.0	10.0
42. Non-Government	90.0	90.0
43. Total	100.0	100.0
44. Government	10.0	10.0
45. Non-Government	90.0	90.0
46. Total	100.0	100.0
47. Government	10.0	10.0
48. Non-Government	90.0	90.0
49. Total	100.0	100.0
50. Government	10.0	10.0
51. Non-Government	90.0	90.0
52. Total	100.0	100.0
53. Government	10.0	10.0
54. Non-Government	90.0	90.0
55. Total	100.0	100.0
56. Government	10.0	10.0
57. Non-Government	90.0	90.0
58. Total	100.0	100.0
59. Government	10.0	10.0
60. Non-Government	90.0	90.0
61. Total	100.0	100.0
62. Government	10.0	10.0
63. Non-Government	90.0	90.0
64. Total	100.0	100.0
65. Government	10.0	10.0
66. Non-Government	90.0	90.0
67. Total	100.0	100.0
68. Government	10.0	10.0
69. Non-Government	90.0	90.0
70. Total	100.0	100.0
71. Government	10.0	10.0
72. Non-Government	90.0	90.0
73. Total	100.0	100.0
74. Government	10.0	10.0
75. Non-Government	90.0	90.0
76. Total	100.0	100.0
77. Government	10.0	10.0
78. Non-Government	90.0	90.0
79. Total	100.0	100.0
80. Government	10.0	10.0
81. Non-Government	90.0	90.0
82. Total	100.0	100.0
83. Government	10.0	10.0
84. Non-Government	90.0	90.0
85. Total	100.0	100.0
86. Government	10.0	10.0
87. Non-Government	90.0	90.0
88. Total	100.0	100.0
89. Government	10.0	10.0
90. Non-Government	90.0	90.0
91. Total	100.0	100.0
92. Government	10.0	10.0
93. Non-Government	90.0	90.0
94. Total	100.0	100.0
95. Government	10.0	10.0
96. Non-Government	90.0	90.0
97. Total	100.0	100.0
98. Government	10.0	10.0
99. Non-Government	90.0	90.0
100. Total	100.0	100.0

05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS (CONT.)
07 ADMIN ATTACHED BOARDS (CONT.)
06 MEDICINE, BOARD OF (CONT.)
MEDICATION & SUPPORT (CONT.)

60 PERSONAL SERVICES - OTHER	33,545	
60 BENEFITS	1,501	
70 IN-STATE TRAVEL	5,257	
80 OUT-OF-STATE TRAVEL	5,074	
TOTAL	170,165	170,051
ESTIMATED SOURCE OF FUNDS FOR		
ADMINISTRATION & SUPPORT	170,165	170,051
TOTAL FUND	170,165	170,051

[illegible]

05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
07 ADMIN ATTACHED BOARDS
06 MEDICINE, BOARD OF
02 PROSECUTING COUNSEL
45 CONSULTANTS

46 CONSULTANTS	11,640	11,640
TOTAL ESTIMATED SOURCE OF FUNDS FOR PROSECUTING COUNSEL GENERAL FUND	11,640	11,640
TOTAL	11,640	11,640

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05 HEALTH AND SOCIAL SERVICES
06 DEPT OF HEALTH AND HUMAN SVCS
07 ADMIN ATTACHED BOARDS
07 OPTOMETRY, BOARD OF

20 CURRENT EXPENSES	4,012	
50 PERSONAL SERVICES - OTHER	6,116	
60 BENEFITS	468	
70 IN-STATE TRAVEL	1,371	
80 OUT-OF-STATE TRAVEL	236	
90 CONTINUING EDUCATION	875	
TOTAL	13,078	13,078
ESTIMATED SOURCE OF FUNDS FOR		
OPTOMETRY, BOARD OF	13,078	13,078
TOTAL FUND	13,078	13,078

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS.
ALL BOARDS AND COMMISSIONS WHICH HAVE NOT
ALREADY ESTABLISHED FEES FOR EXAMINATION
APPLICANTS FOR A LICENSE OR
APPLICANTS FOR A LICENSE TO SELL OR
RENTAL EQUIPMENT OR TO RESELL OR
ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFIC-
ALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT
RULES UNDER RSA 541-A RELATIVE TO FEES FOR SUCH
PROGRAMS. SUCH FEES SHALL BE COVERED ON AN
ANNUAL BASIS BY THE DIRECT COST OF THE
PROGRAM INCLUDING THE COST OF SUPPORT AND
ADMINISTRATIVE SERVICES PROVIDED BY OTHER
AGENCIES, OR 125% OF THE DIRECT COST OF THE
BOARD OR COMMISSION RELATING TO THE PROGRAM,
WHICHEVER IS GREATER. THE BOARD OR COMMISSION
WHICH ESTABLISHES FEES FOR EXAMINATION
APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINA-
TIONS, RELATED SERVICES, OR SUPPLIES, AS
NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF
THE EXAMINATION.

05 HEALTH AND SOCIAL SERVICES
01 DEPT OF HEALTH AND HUMAN SVCS
07 ADMIN ATTACHED BOARDS
07 OPTOMETRY, BOARD OF
01 PHARMACY COMMISSION
10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
50 PERSONAL SERVICES - OTHER

159,055	174,276
17,023	17,073
12,600	12,600
20,556	4,656
16,884	16,884

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05 HEALTH AND SOCIAL SERVICES (CONT.)
 01 DEPT OF HEALTH AND HUMAN SVCS (CONT.)
 07 ADMIN ATTACHED BOARDS (CONT.)
 10 PSYCHOLOGIST, BOARD OF (CONT.)
 03 PODIATRY, REGISTRATION IN

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PODIATRY, REGISTRATION IN
 GENERAL FUND
 TOTAL

3,187 3,187
 3,187 3,187
 3,187 3,187

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
 AND BOARDS AND COMMISSIONS WHICH HAVE NOT
 ALREADY ESTABLISHED FEES FOR EXAMINATION
 APPLICANTS, APPLICANTS FOR A LICENSE OR
 REGISTRATION, A PUBLICATION WHICH THEY SELL, OR
 AN OBTAINMENT OF A LICENSE, SHALL BE SPONTANEOUSLY
 AUTHORIZED TO CHARGE A FEE, SHALL ADOPT THE
 RULES UNDER RSA 541-A RELATIVE TO FEES FOR SUCH
 PROGRAMS. SUCH FEES SHALL COVER, ON AN
 ANNUAL OR BIENNIAL BASIS, THE FULL COST OF THE
 PROGRAM, INCLUDING THE COST OF THE BOARD AND
 ADMINISTRATIVE SERVICES PROVIDED BY OTHER
 AGENCIES, OR 125% OF THE DIRECT COST OF THE
 BOARD OR COMMISSION RELATING TO THE PROGRAM,
 WHICHEVER IS GREATER. A BOARD OR COMMISSION
 WHICH ESTABLISHES SUCH FEES SHALL INCREASE THE
 APPLICATION FEES FOR SUCH FUND FOR EXAMINA-
 TIONS, RELATED SERVICES, OR SUPPLIES, AS
 NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF
 THE EXAMINATION.

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 07 ADMIN ATTACHED BOARDS
 10 PSYCHOLOGIST, BOARD OF

20 CURRENT EXPENSES 32,465
 30 EQUIPMENT 50
 50 PERSONAL SERVICES - OTHER 15,094
 60 BENEFITS 1,135
 70 IN-STATE TRAVEL 2,720

16,497
 50
 15,094
 1,135
 2,720

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PSYCHOLOGIST, BOARD OF
 GENERAL FUND
 TOTAL

51,484 35,516
 51,484 35,516
 51,484 35,516

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 35 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 07 ADMIN ATTACHED BOARDS
 10 PSYCHOLOGIST, BOARD OF

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----
 (CONT.)
 (CONT.)
 (CONT.)

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
 ALREADY ESTABLISHED FEES FOR EXAMINATION
 APPLICANTS APPLIED FOR A LICENSE OR
 REGISTRATION, A PUBLICATION WHICH THEY ARE SELLING, OR
 ANY OTHER PROGRAM FOR WHICH THEY ARE SELLING, OR
 REGISTRATION, A PUBLICATION WHICH THEY ARE SELLING, OR
 RULES UNDER WHICH THEY ARE SELLING, OR
 PROGRAMS, SUCH FEES SHALL BE COVERED ON AN
 ANNUAL OR BIENNIAL BASIS THE DIRECT COST OF THE
 PROGRAM INCLUDING THE COST OF SUPPORTING
 AGENCIES OR SERVICES PROVIDED BY OTHER
 BOARD OR COMMISSIONS TO THE DIRECT COST OF THE
 WHICH EVER IS GREATER, A BOARD OR COMMISSION
 WHICH ESTABLISHES FEES FOR EXAMINATION,
 APPLICATIONS THAT EXPEND SUCH FUNDS FOR EXAMINA-
 TIONS, BUT NOT TO EXCEED THE DIRECT COST OF
 THE EXAMINATION.

05 HEALTH AND SOCIAL SERVICES
 01 DEPT OF HEALTH AND HUMAN SVCS
 07 ADMIN ATTACHED BOARDS
 11 NURSING HOME EXAM BOARD

20 CURRENT EXPENSES
 50 PERSONAL SERVICES - OTHER
 50 BENEFITS
 60 TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL

ESTIMATED SOURCE OF FUNDS FOR
 NURSING HOME EXAM BOARD
 GENERAL FUND

20,599

20,599

20,599

4,000
 12,630
 966
 2,000
 1,000

20,859

20,859

20,859

ESTABLISHMENT OF FEES BY BOARDS & COMMISSIONS
 ALL BOARDS AND COMMISSIONS WHICH HAVE NOT
 ALREADY ESTABLISHED FEES FOR EXAMINATION
 APPLICANTS, APPLICANTS FOR A LICENSE OR
 REGISTRATION, A PUBLICATION WHICH THEY SELL, OR

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 05 HEALTH AND SOCIAL SERVICES (CONT.)
 01 DEPT OF HEALTH AND HUMAN SVCS (CONT.)
 07 ADMIN ATTACHED BOARDS (CONT.)
 11 NURSING HOME EXAM BOARD

ANY OTHER PROGRAM FOR WHICH THEY ARE SPECIFICALLY AUTHORIZED TO CHARGE A FEE SHALL ADOPT RULES UNDER RSA 541-A RELATIVE TO FEES FOR SUCH PROGRAMS. B. THE FULL COST OF THE PROGRAM, INCLUDING THE COST OF SUPPORT AND ADMINISTRATIVE SERVICES PROVIDED BY OTHER AGENCIES, OR 15% OF THE DIRECT COST OF THE PROGRAM, WHICHEVER IS GREATER, SHALL BE PAID BY APPLICANTS. C. THE BOARD OR COMMISSION WHICH ESTABLISHES FEES FOR EXAMINATION APPLICANTS MAY EXPEND SUCH FUNDS FOR EXAMINATIONS, RELATED SERVICES, OR SUPPLIES, AS NEEDED, BUT NOT TO EXCEED THE DIRECT COST OF THE EXAMINATION.

TOTAL 811,078 796,980
 ESTIMATED SOURCE OF FUNDS FOR
 ADMIN ATTACHED BOARDS
 FEDERAL FUNDS 35,412 40,506
 GENERAL FUNDS 697,372 678,000
 OTHER FUNDS 16,294 78,484
 TOTAL 811,078 796,980

TOTAL 475,508,249 502,581,692
 ESTIMATED SOURCE OF FUNDS FOR
 DEPT OF HEALTH AND HUMAN SVCS
 FEDERAL FUNDS 170,506,026 181,506,095
 GENERAL FUNDS 254,261,209 255,775,866
 OTHER FUNDS 50,741,014 65,308,801
 TOTAL 475,508,249 502,581,692

05 HEALTH AND SOCIAL SERVICES
 02 VETERANS HOME
 01 VETS HOME PROFESSIONAL CARE

10 PERSONAL SERVICES - PERMANENT
 11 CURRENT EXPENSES
 21 CURRENT EXPENSES
 24 MAINT OTHER THAN BLDGGRNDS
 30 EQUIPMENT
 41 AUDIT FUND SET ASIDE

1,320,470
 45,253
 132,000
 974
 17,700
 519

1,359,940
 45,253
 134,306
 974
 7,000
 519

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05 HEALTH AND SOCIAL SERVICES		(CONT.)		(CONT.)	
02 VETERANS HOME		(CONT.)		(CONT.)	
01 VETS HOME PROFESSIONAL CARE					
46 CONSULTANTS		44,467		44,949	
50 PERSONAL SERVICES - OTHER		61,536		61,536	
60 TRAVEL		321,888		340,994	
70 IN-STATE TRAVEL		1,772		1,772	
80 OUT-OF-STATE TRAVEL		2,402		2,402	
91 IN-SERVICE TRAINING		3,744		3,744	
92 COMPUTER PROGRAMS		3,000		3,000	
93 CENTENNIAL CELEBRATION				1,308	
TOTAL		1,978,724		2,001,307	
ESTIMATED SOURCE OF FUNDS FOR					
VETS HOME PROFESSIONAL CARE					
00 FEDERAL FUNDS		570,299		570,299	
09 AGENCY INCOME		620,955		620,955	
GENERAL FUND		787,470		810,053	
TOTAL		1,978,724		2,001,307	
05 HEALTH AND SOCIAL SERVICES					
02 VETERANS HOME					
02 VETS HOME CUSTODIAL CARE					
10 PERSONAL SERVICES - PERMANENT		485,214		491,243	
20 CURRENT EXPENSES		55,574		55,574	
21 FOOD INSTITUTIONS		17,494		17,494	
23 HEAT, ELECTRICITY & WATER		121,789		121,789	
30 MAINT. OTHER THAN BLDG&GRNDS		14,600		14,600	
30 EQUIPMENT		12,900		12,900	
47 OWN FORCES MAINT-BLDG&GRNDS		6,000		6,000	
48 CONTRACTUAL MAINT-BLDG&GRND		12,500		12,500	
50 PERSONAL SERVICES - OTHER		31,867		31,867	
60 BENEFITS		114,035		120,334	
70 IN-STATE TRAVEL		2,582		2,582	
TOTAL		944,217		940,031	
ESTIMATED SOURCE OF FUNDS FOR					
VETS HOME CUSTODIAL CARE					
00 FEDERAL FUNDS		33,187		33,187	
09 AGENCY INCOME		403,819		403,819	
GENERAL FUND		507,211		503,025	
TOTAL		944,217		940,031	

DURING THE BIENNIAL ENDING JUNE 30, 1991
IF PROJECTED REVENUE TO THE VETERAN'S HOME

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05 HEALTH AND SOCIAL SERVICES							
02 VETERANS HOME							
02 VETS HOME CUSTODIAL CARE							
FROM MEMBERS EXCESS INCOME EXCEEDS THE							
AMOUNT ESTIMATED, SAID PROJECTED EXCESS MAY							
BE EXPENDED WITH PRIOR APPROVAL OF THE							
GOVERNOR & COUNCIL							
TOTAL				2,922,941		2,941,338	
VETERANS HOME				603,486		603,486	
FEDERAL FUNDS				1,294,681		1,313,078	
GENERAL FUND				1,024,774		1,024,774	
OTHER FUNDS							
TOTAL				2,922,941		2,941,338	
05 HEALTH AND SOCIAL SERVICES							
03 VETERANS COUNCIL							
01 VETERANS COUNCIL							
10 PERSONAL SERVICES - PERMANENT				99,661		102,013	
20 PERSONAL SERVICES - TEMPORARY				28,465		30,524	
21 SALARY EXPENSES				16,096		16,096	
22 RENTS & LEASES TO NON-STATE				11,900		11,900	
24 MAINT OTHER THAN BLDGGRNDS				1,800		1,800	
29 TRANSFERS TO INFO SERVICES				1,260		1,260	
30 EQUIPMENT SERVICES - OTHER				8,560		1,300	
50 PERSONAL SERVICES - OTHER				1,567		1,567	
60 PERSONAL SERVICES - OTHER				29,589		31,929	
70 IN-STATE TRAVEL				8,343		7,793	
80 OUT-OF-STATE TRAVEL				1,500		1,500	
TOTAL				208,131		206,682	
TOTALLED SOURCE OF FUNDS FOR							
VETERANS COUNCIL				208,131		206,682	
GENERAL FUND				208,131		206,682	
TOTAL				208,131		206,682	
TOTAL				208,131		206,682	
ESTIMATED SOURCE OF FUNDS FOR							
VETERANS COUNCIL				208,131		206,682	
GENERAL FUND				208,131		206,682	
TOTAL				208,131		206,682	
TOTAL				478,639		505,729	
TOTAL							

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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05 HEALTH AND SOCIAL SERVICES

(CONT.)
(CONT.)
(CONT.)

ESTIMATED SOURCE OF FUNDS FOR
HEALTH AND SOCIAL SERVICES
FEDERAL FUNDS
GENERAL FUND
OTHER FUNDS
TOTAL

171,109,512
255,764,798
51,858,321
478,639,321

192,109,581
267,286,756
56,333,375
505,729,712

06 EDUCATION
01 POST SECONDARY EDUCATION COMM.
01 ADMINISTRATION & FINANCIAL AID

10 PERSONAL SERVICES - PERMANENT
11 SALARY OF EXECUTIVE DIRECTOR
20 CURRENT EXPENSES
22 RENT OF OTHER THAN NON-STATE
25 ADVERTISING
29 TRANSFERS TO INFO. SERVICES
30 EQUIPMENT
41 FUNDING SET ASIDE
51 PERSONAL SERVICES - OTHER
60 BENEFITS
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
90 MERIT GRANT-SCHOLARSHIP GRANT
92 N.E. BD OF HIGHER EDUC-ASSESSMEN
94 LEVERAGED INCENTIVE GRANT
95 SPEC'L STUDENT GRANT-DEMERIT
96 SPEC'L STUDENT GRANT-DEMERIT
99 NH INCENTIVE PROGRAM

87,712
41,422
24,421
25,000
3,588
10,000
10,000
20,605
19,000
3,246
3,246
4,404
10,000
10,000
89,605
400,000
45,000
219,000
200,000
800,000

87,712
41,422
24,421
25,000
3,588
10,000
10,000
2,644
19,000
32,446
3,452
4,404
10,000
10,000
400,000
45,000
219,000
200,000
800,000

2,203,641

2,192,381

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
ADMINISTRATION & FINANCIAL AID
00 FEDERAL FUNDS
09 AGENCY INCOME
GENERAL FUND
TOTAL

275,000
8,000
1,920,641
2,203,641

275,000
8,000
1,920,381
2,192,381

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 06 EDUCATION
 01 POST SECONDARY EDUCATION COMM
 02 VETERANS EDUCATION SERVICES

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 TRAVEL
 24 MAINT OTHER THAN BUDGETS
 40 INDIRECT COSTS
 41 AUDIT FUND SET ASIDE
 50 BENEFITS TRAVEL
 60 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 POST SECONDARY EDUCATION SERVICES
 00 FEDERAL FUNDS
 GENERAL FUND
 TOTAL

06 EDUCATION
 01 POST SECONDARY EDUCATION COMM
 03 PERKINS SCHOLARSHIP PROGRAM

94 CARL D PERKINS SCHOLARSHIP PRO

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PERKINS SCHOLARSHIP PROGRAM
 00 FEDERAL FUNDS
 TOTAL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 POST SECONDARY EDUCATION COMM
 FEDERAL FUNDS
 GENERAL FUND
 OTHER FUNDS
 TOTAL

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

48,423 48,423
 3,068 3,068
 5,766 5,766
 100 100
 570 570
 70 70
 11,139 11,622
 3,600 3,600
 3,000 3,000

75,717

77,074

71,079
 5,995
 77,074

75,958

75,958

75,958

75,958

75,958

2,355,316

2,345,413

420,686

422,037

1,926,630

1,915,376

8,000

8,000

2,355,316

2,345,413

	FISCAL YEAR 1990	FISCAL YEAR 1991
1. Total	100.0	100.0
2. Federal Government	10.0	10.0
3. State Government	20.0	20.0
4. Local Government	70.0	70.0
5. Private	0.0	0.0
6. Other	0.0	0.0

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06 EDUCATION
02 BOARD OF EDUCATION
01 STATE BOARD OF EDUCATION

20 CURRENT EXPENSES
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL

11,213	11,213
6,000	6,000
4,600	4,600

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
STATE BOARD OF EDUCATION
GENERAL FUND
TOTAL

21.813

21,813

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
BOARD OF EDUCATION
GENERAL FUND
TOTAL

21,813

21,813

21,813

21,813

21,012

21,813

21,012

21,813

06 EDUCATION
03 DEPARTMENT OF EDUCATION
01 OFFICE OF THE COMMISSIONER
01 COMMISSIONER
01 COMMISSIONER - STATE

10 PERSONAL SERVICES - PERMANENT	25,366
11 PERSONAL SERVICES - TEMPORARY	64,406
12 PERSONAL SERVICES - FELLOW	21,320
13 PERSONAL SERVICES - FELLOW	56,500
14 PERSONAL SERVICES - FELLOW	16,340
15 PERSONAL SERVICES - OTHERS	20,747
16 PERSONAL SERVICES - OTHERS	2,425
17 PERSONAL SERVICES - OTHERS	3,680
18 PERSONAL SERVICES - OTHERS	124,936
19 PERSONAL SERVICES - OTHERS	14,450

35,896
64,406
21,220
56,317
10,440
24,871
2,425
3,680
1,940
26,040
14,550

* THESE FUNDS SHALL BE USED AS STATE SUPPORT FOR TRAVEL GRANTS TO NEW HAMPSHIRE STUDENTS ATTENDING NATIONAL ACADEMIC COMPETITIONS.

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
COMMISSIONER - STATE
GENERAL FUND
TOTAL

359, 530

362,285

359.530

362,285

359, 530

362,285

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 01 OFFICE OF THE COMMISSIONER
 01 COMMISSIONER - FEDERAL
 02 COMMISSIONER - FEDERAL
 ESTIMATED SOURCE OF FUNDS FOR
 COMMISSIONER - FEDERAL
 TOTAL

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 01 OFFICE OF THE COMMISSIONER
 01 COMMISSIONER - FEDERAL
 02 COMMISSIONER - FEDERAL
 01 AUDIT REVIEW AND TECH ASSIST
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 28 TRANSFERS TO GEN L SERVICES
 40 INDIRECT COSTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 TRAINING

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 AUDIT REVIEW AND TECH ASSIST
 01 OTHER AGENCY FUNDS
 TOTAL

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 01 OFFICE OF THE COMMISSIONER
 01 COMMISSIONER - FEDERAL
 02 COMMISSIONER - FEDERAL
 01 HEARINGS AND ADMIN SERVICES
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 40 INDIRECT COSTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 DUE PROCESS HEARINGS CONTR

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 HEARINGS AND ADMIN SERVICES
 GENERAL FUND
 TOTAL

46,563
 3,861
 2,600
 2,600
 7,480
 54
 11,211
 1,350
 1,800
 1,800
 460
 75,461
 76,110
 76,110
 76,110

49,692
 1,500
 1,500
 11,199
 500
 1,000
 1,000
 45,000
 108,391
 109,779
 109,779
 109,779

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06 EDUCATION							
03 DEPARTMENT OF EDUCATION							
01 OFFICE OF THE COMMISSIONER							
03 TECHNICAL ASSIST. & SUPPORT							
02 LEGISLATIVE LIAISON							
10 PERSONAL SERVICES - PERMANENT							
20 CURRENT EXPENSES				28,987		30,303	
30 EQUIPMENT				5,393		5,393	
40 BENEFITS				4,215			
50 BENEFITS				6,669		7,273	
60 BENEFITS				300		300	
70 IN-STATE TRAVEL				1,000		1,000	
80 OUT-OF-STATE TRAVEL							
TOTAL				46,574		44,269	
ESTIMATED SOURCE OF FUNDS FOR							
LEGISLATIVE LIAISON				46,574		44,269	
GENERAL FUND				46,574		44,269	
TOTAL							
06 EDUCATION							
03 DEPARTMENT OF EDUCATION							
01 OFFICE OF THE COMMISSIONER							
03 TECHNICAL ASSIST. & SUPPORT							
03 PUBLIC INFORMATION							
10 PERSONAL SERVICES - PERMANENT							
20 CURRENT EXPENSES				29,002		29,002	
30 EQUIPMENT				5,000		5,000	
40 BENEFITS				3,000		3,000	
50 BENEFITS				1,500		1,500	
60 BENEFITS				6,670		6,960	
70 IN-STATE TRAVEL				500		500	
80 OUT-OF-STATE TRAVEL				1,000		1,000	
TOTAL				46,672		44,462	
ESTIMATED SOURCE OF FUNDS FOR							
PUBLIC INFORMATION				46,672		44,462	
GENERAL FUND				46,672		44,462	
TOTAL							
06 EDUCATION							
03 DEPARTMENT OF EDUCATION							
01 OFFICE OF THE COMMISSIONER							
03 TECHNICAL ASSIST. & SUPPORT							
04 DROPOUT PREVENTION PROGRAM							
10 PERSONAL SERVICES - PERMANENT							
20 CURRENT EXPENSES				27,729		28,997	
30 EQUIPMENT				1,000		1,000	
40 BENEFITS				6,378		6,959	
50 BENEFITS				1,000		1,000	
60 BENEFITS				920		920	
70 IN-STATE TRAVEL							
80 OUT-OF-STATE TRAVEL							
TOTAL				37,027		38,876	
ESTIMATED SOURCE OF FUNDS FOR							
DROPOUT PREVENTION PROGRAM							

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06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 01 OFFICE OF THE COMMISSIONER
 03 TECHNICAL ASSIST. & SUPPORT
 04 DROPOUT PREVENTION PROGRAM
 GENERAL FUND
 TOTAL

(CONT.)
 (CONT.)
 (CONT.)
 (CONT.)

----- FISCAL YEAR 1990 -----

----- FISCAL YEAR 1991 -----

38,876
 38,876

37,027
 37,027

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 01 OFFICE OF THE COMMISSIONER
 03 TECHNICAL ASSIST. & SUPPORT
 05 UNORGANIZED DISTRICTS
 90 UNORGANIZED DISTRICTS
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 UNORGANIZED DISTRICTS
 09 AGENCY INCOME
 TOTAL

315,000

290,000
 290,000

315,000

315,000
 315,000

THE INCOME RECEIVED BY PAU 06-03-01-03-05
 UNORGANIZED DISTRICTS, SHALL NOT LAPSE OR BE
 USED FOR ANY OTHER PURPOSE THAN SET FORTH IN
 RS 19-1-1-10, UNLESS IT IS TRANSFERRED TO ANY OTHER
 APPROPRIATION.

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 01 OFFICE OF THE COMMISSIONER
 05 TRUST FUNDS
 01 HARRIET L. HUNTRESS FUND
 90 GRANTS & SCHOLARSHIPS

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 HARRIET L. HUNTRESS FUND
 01 REVOLVING FUNDS
 TOTAL

2,910

2,910

2,910

2,910
 2,910

2,910
 2,910

THE INCOME RECEIVED BY PAU 06-03-01-05-01, THE
 HARRIET L. HUNTRESS FUND, SHALL NOT LAPSE AND,
 IF THE INCOME IS IN EXCESS OF THE APPROPRIATION
 AUTHORITY, SHALL BE MADE AVAILABLE WITH THE
 APPROVAL OF GOVERNOR AND COUNCIL FOR THE SOLE

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 OFFICE OF ADMINISTRATION					
01 DEPUTY COMMISSIONER					
10 PERSONAL SERVICES - PERMANENT	19,895		19,895		
12 DEPUTY COMMISSIONER	60,065		60,065		
20 CURRENT EXPENSES	5,807		5,807		
24 MAINT OTHER THAN BLDG&GRNDS	450		450		
30 EQUIPMENT	2,200		2,200		
50 PERSONAL SERVICES - OTHER	2,200		2,200		
60 BENEFITS	18,406		19,206		
70 IN-STATE TRAVEL	1,000		1,000		
80 OUT-OF-STATE TRAVEL	2,000		2,000		
90 CONFERENCES & WORKSHOPS	2,680		2,680		
91 TRAINING	3,680		3,680		
TOTAL		116,263		117,063	
ESTIMATED SOURCE OF FUNDS FOR					
DEPUTY COMMISSIONER		116,263		117,063	
GENERAL FUND		116,263		117,063	
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 OFFICE OF ADMINISTRATION					
02 BUSINESS MANAGEMENT					
10 PERSONAL SERVICES - PERMANENT	421,407		426,737		
12 DEPUTY COMMISSIONER	26,024		26,024		
20 CURRENT EXPENSES	3,000		3,000		
24 MAINT OTHER THAN BLDG&GRNDS	3,000		3,000		
30 EQUIPMENT	3,000		3,000		
50 PERSONAL SERVICES - OTHER	99,500		103,000		
60 BENEFITS	1,000		1,000		
70 IN-STATE TRAVEL	1,380		1,380		
80 OUT-OF-STATE TRAVEL	1,380		1,380		
91 TRAINING					
TOTAL		571,718		582,640	
ESTIMATED SOURCE OF FUNDS FOR					
BUSINESS MANAGEMENT		571,718		582,640	
GENERAL FUND		571,718		582,640	
TOTAL					

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06 EDUCATION
03 DEPARTMENT OF EDUCATION
02 OFFICE OF ADMINISTRATION
01 DATA SERVICES

01 COMPUTER AND STATISTICAL SERVI

1C PERSONAL SERVICES - PERMANENT
20 TRAVEL EXPENSES
20 TRAVEL OTHER THAN BLDG&GRNOS
28 TRANSFERS TO GEN L SERVICES
30 EQUIPMENT
50 PERSONAL SERVICES - OTHER
70 IN-STATE TRAVEL
80 OUT-OF-STATE TRAVEL
91 STAFF TRAINING
92 COMPUTER LEASE/MAINTENANCE

D

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
COMPUTER AND STATISTICAL SERVI
GENERAL FUND
TOTAL

343,267
343,267
343,267

06 EDUCATION
03 DEPARTMENT OF EDUCATION
02 OFFICE OF ADMINISTRATION
01 DATA SERVICES

03 COMMON CORE DATA SURVEY
20 CURRENT EXPENSES
30 EQUIPMENT AND SET ASIDE
40 OUT-OF-STATE TRAVEL
80 OUT-OF-STATE TRAVEL

0

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
COMMON CORE DATA SURVEY
FEDERAL FUNDS
TOTAL

8,000
8,000
8,000

4,992
1,000
2,000

THE INCOME RECEIVED BY PAU 06-03-02-03-03
COMMON CORE OF DATA SURVEY SHALL BE USED FOR THE
ANALYSIS OF THE INCOME RECEIVED BY THE APPROP-
RIATE AUTHORITY SHALL BE MADE AVAILABLE WITH
THE APPROVAL OF GOVERNOR AND COUNCIL FOR THE
SOLE PURPOSE OF PROVIDING SUPPORT FOR THE
COMMON CORE OF DATA SURVEY. THE INCOME RECEIVED
SHALL BE USED FOR THE ANALYSIS OF THE INCOME
CURRENT EXPENDITURES PART-TIME PERSONNEL
AND COMPUTER HARDWARE AND SOFTWARE

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06 EDUCATION
03 DEPARTMENT OF EDUCATION
02 OFFICE OF ADMINISTRATION
04 FIN L AID TO DISTRICTS - STATE
01 FOUNDATION AID

90 FOUNDATION AID	38,000,000		40,000,000
93 SPCL ED BASIC AID TO DISTRICT	8,118,312		8,118,312
97 LITERARY FUND DISTRIBUTION	117,867		117,867
TOTAL		46,236,179	46,236,179

ESTIMATED SOURCE OF FUNDS FOR
FOUNDATION AID

08 AGENCY INCOME	43,000,000
09 GENERAL FUND	117,867
TOTAL	43,117,867

06 EDUCATION
03 DEPARTMENT OF EDUCATION
02 OFFICE OF ADMINISTRATION
04 FIN L AID TO DISTRICTS - STATE
02 BUILDING AID

90 BUILDING AID	11,000,000		12,760,000
TOTAL		11,000,000	12,760,000

ESTIMATED SOURCE OF FUNDS FOR
BUILDING AID

08 AGENCY INCOME	11,000,000
09 GENERAL FUND	11,000,000
TOTAL	22,000,000

06 EDUCATION
03 DEPARTMENT OF EDUCATION
02 OFFICE OF ADMINISTRATION
04 FIN L AID TO DISTRICTS - STATE
01 INSTRUCTION - ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT	35,886
11 PERSONAL SERVICES - UNCLASSIFIED	50,676
20 CURRENT EXPENSES	14,923
24 MAINT OTHER THAN BLDG&GRNDS	7,500
28 TRANSFERS TO GEN L SERVICES	2,892
30 EQUIPMENT	2,455
TOTAL	109,332

ESTIMATED SOURCE OF FUNDS FOR
OFFICE OF ADMINISTRATION
FEDERAL FUNDS

08 AGENCY INCOME	8,000
09 GENERAL FUND	15,157,867
TOTAL	15,165,867

OTHER FUNDS

08 AGENCY INCOME	45,117,867
09 GENERAL FUND	58,295,220
TOTAL	103,413,087

06 EDUCATION
03 DEPARTMENT OF EDUCATION
02 OFFICE OF ADMINISTRATION
04 FIN L AID TO DISTRICTS - STATE
01 INSTRUCTION - ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT	35,886
11 PERSONAL SERVICES - UNCLASSIFIED	50,676
20 CURRENT EXPENSES	14,923
24 MAINT OTHER THAN BLDG&GRNDS	7,500
28 TRANSFERS TO GEN L SERVICES	2,892
30 EQUIPMENT	2,455
TOTAL	109,332

ESTIMATED SOURCE OF FUNDS FOR
OFFICE OF ADMINISTRATION
FEDERAL FUNDS

08 AGENCY INCOME	8,000
09 GENERAL FUND	15,157,867
TOTAL	15,165,867

OTHER FUNDS

08 AGENCY INCOME	45,117,867
09 GENERAL FUND	58,295,220
TOTAL	103,413,087

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06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
02 DIVISION OF INSTRUCTION						
02 GENERAL INSTRUCTION						
04 ALCOHOL EDUCATION						
10 PERSONAL SERVICES - PERMANENT						
20 CURRENT EXPENSES						
60 BENEFITS						
70 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
					44,098	44,429
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
ALCOHOL EDUCATION					44,098	44,429
GENERAL FUND					44,098	44,429
TOTAL						
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
03 DIVISION OF INSTRUCTION						
04 GENERAL INSTRUCTION						
05 BILINGUAL EDUCATION						
20 CURRENT EXPENSES						
30 EQUIPMENT COSTS						
40 INTEREST						
41 AUDIT FUND SET ASIDE						
46 CONSULTANTS						
50 PERSONAL SERVICES - OTHER						
60 BENEFITS						
70 IN-STATE TRAVEL						
80 OUT-OF-STATE TRAVEL						
90 CONFERENCES & WORKSHOPS						
91 PROJECTS						
TOTAL					74,999	74,999
ESTIMATED SOURCE OF FUNDS FOR						
BILINGUAL EDUCATION					74,999	74,999
FEDERAL FUNDS					74,999	74,999
TOTAL						
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
03 DIVISION OF INSTRUCTION						
02 GENERAL INSTRUCTION						
06 AIDS EDUCATION - FEDERAL						
20 CURRENT EXPENSES						
24 MAINT. OTHER THAN BLDG&GRNDS						
30 EQUIPMENT COSTS						
40 BENEFITS						
41 AUDIT FUND SET ASIDE						
46 CONSULTANTS						
					20,000	20,000
					350	350
					100	100
					3,621	3,621
					125	135
					10,000	10,000

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 DIVISION OF INSTRUCTION					
01 GENERAL INSTRUCTION					
06 AIDS EDUCATION - FEDERAL					
50 PERSONAL SERVICES - OTHER					
50 BENEFITS					
80 OUT-OF-STATE TRAVEL					
90 CONFERENCES & WORKSHOPS					
91 GRANTS & CONTRACTS					
TOTAL		21,685		22,631	
ESTIMATED SOURCE OF FUNDS FOR		1,659		1,659	
AIDS EDUCATION - FEDERAL		3,500		3,500	
TOTAL		2,000		2,000	
		55,610		56,431	
			124,999		134,999
			124,999		134,999
			124,999		134,999
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 DIVISION OF INSTRUCTION					
01 GENERAL INSTRUCTION					
07 ECONOMIC SECURITY TITLE II					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
34 PAYROLL OTHER THAN BLOS&GRNDS					
40 INDIRECT COSTS					
41 AUDIT FUND SET ASIDE					
42 TRANSFER TO COLA					
46 CONSULTANTS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
90 OUT-OF-STATE TRAVEL					
91 GRANTS TO HIGHER EDUCATION					
92 GRANTS TO CONTRACTS COOP PROGR					
93 GRANTS TO LOCAL EDUCATION AGEN					
94 GRANTS/CONTRACTS EXEMPLARY PRO					
TOTAL		13,826		14,372	
ESTIMATED SOURCE OF FUNDS FOR		17,952		7,500	
ECONOMIC SECURITY TITLE II		1,500		1,500	
TOTAL		2,252		2,340	
		1,241		571	
		750		750	
		5,001		5,048	
		2,250		250	
		3,000		3,468	
		3,500		3,500	
		8,091		9,293	
		135,375		135,375	
		384,750		384,750	
			569,999		571,999
			569,999		571,999
			569,999		571,999

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06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
02 GENERAL INSTRUCTION			
08 DRUG FREE COMMUNITY PROGRAM			
10 PERSONAL SERVICES - PERMANENT		13,826	14,372
20 CURRENT EXPENSES		5,000	5,000
28 TRANSFERS TO GEN L SERVICES		9,000	1,500
30 EQUIPMENT		3,012	3,148
40 INDIRECT COSTS		1,282	1,265
42 TRANSFER TO ASIOE		1,242	1,242
44 TRANSFER TO COLA		389,220	473,273
46 CONSULTANTS		5,000	5,300
49 TRANS TO OTHER STATE AGYS		3,563	3,854
50 PERSONAL SERVICES - OTHER		1,900	1,900
60 TRAVEL		1,750	1,750
70 IN-STATE TRAVEL		1,750	1,750
80 OUT-OF-STATE TRAVEL		30,630	35,495
90 CONFERENCES		6,496	7,500
91 TRAINING		806,873	806,873
92 EVALUATION			
93 GRANTS			
TOTAL		1,280,750	1,364,832
ESTIMATED SOURCE OF FUNDS FOR			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION		1,280,750	1,364,832
02 GENERAL INSTRUCTION		1,280,750	1,364,832
09 CHAPTER 11 BASIC BLOCK GRANT			
41 AUDIT FUND SET ASIOE		2,174	2,278
90 LEA GRANT DISTRIBUTION		2,171,400	2,274,800
TOTAL		2,173,574	2,277,078
ESTIMATED SOURCE OF FUNDS FOR			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
02 GENERAL INSTRUCTION		2,173,574	2,277,078
09 CHAPTER 11 BASIC BLOCK GRANT		2,173,574	2,277,078
41 AUDIT FUND SET ASIOE			
90 LEA GRANT DISTRIBUTION			
TOTAL		2,173,574	2,277,078

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06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
02 COMPENSATORY EDUCATION			
10 NATIONAL FOREST RESERVE FUND			
41 AUDIT FUND SET ASIDE			
D	73 640	74	73 640
90 DISTRIBUTION			
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR			
NATIONAL FOREST RESERVE FUND			
00 FEDERAL FUNDS	73 714		73 714
TOTAL			
06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
02 COMPENSATORY EDUCATION			
11 ROBERT C BRYD SCHOLARSHIP			
20 CURRENT EXPENSES			
D	1,000	800	
41 AUDIT FUND SET ASIDE			
	51	51	
60 GRANTS			
	46 500	535	
90 IN-STATE TRAVEL			
	2,324	3,114	
94 CONFERENCES			
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR			
ROBERT C BRYD SCHOLARSHIP			
00 FEDERAL FUNDS	51,000		51,000
TOTAL			
06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
03 COMPENSATORY EDUCATION			
01 COMPENSATORY EDUCATION			
10 PERSONAL SERVICES - PERMANENT			
20 CURRENT EXPENSES			
24 MAINT OTHER THAN BLDGGRNDS			
D	171,110	125,578	
28 TRANSFERS TO GEN L SERVICES			
	15,290	35,000	
30 CONSULTANTS			
E	18,000	11,690	
40 INDIRECT COSTS			
	26,978	10,000	
41 AUDIT FUND SET ASIDE			
E	11,400	29,181	
42 TRANSFER TO COLA			
D	5,000	15,290	
46 CONSULTANTS			
	3,000	5,000	
48 TRANSFER TO OTHER STATE AGYS			
	12,320	13,040	
50 PERSONAL SERVICES - OTHER			
	10,000	10,000	
60 BENEFITS			
	40,121	46,580	
70 IN-STATE TRAVEL			
	7,500	7,500	
80 OUT-OF-STATE TRAVEL			
	125,000	125,000	
93 ES&T DELINQUENT			

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 DIVISION OF INSTRUCTION					
03 COMPENSATORY EDUCATION					
01 COMPENSATORY EDUCATION					
94 WORKSHOP AND CONFERENCES					
96 ESEA - LOW INCOME					
TOTAL				11,875,000	12,500
ESTIMATED SOURCE OF FUNDS FOR					
COMPENSATORY EDUCATION					
00 FEDERAL FUNDS					
TOTAL				11,399,170	12,383,054
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 DIVISION OF INSTRUCTION					
03 COMPENSATORY EDUCATION					
02 COMPENSATORY EDUCATION-MIGRANT					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
30 EQUIPMENT					
40 INDIRECT COSTS					
41 ADULT FUND SET ASIDE					
42 TRANSFERS TO GEN L SERVICES					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
94 WORKSHOP & CONFERENCES					
TOTAL				117,626	121,085
ESTIMATED SOURCE OF FUNDS FOR					
COMPENSATORY EDUCATION-MIGRANT					
00 FEDERAL FUNDS					
TOTAL				117,626	121,085
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 DIVISION OF INSTRUCTION					
04 ADULT BASIC EDUCATION					
01 ADULT BASIC EDUCATION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
24 MAINT OTHER THAN BLOGGRIPS					
28 TRANSFERS TO GEN L SERVICES					
40 INDIRECT COSTS					
41 ADULT FUND SET ASIDE					
42 TRANSFERS TO GEN L SERVICES					
49 TRANS TO OTHER STATE AG'S					
60 BENEFITS					
TOTAL				68,960	69,564
ESTIMATED SOURCE OF FUNDS FOR					
ADULT BASIC EDUCATION					
00 FEDERAL FUNDS					
TOTAL				8,498	9,348
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 DIVISION OF INSTRUCTION					
04 ADULT BASIC EDUCATION					
01 ADULT BASIC EDUCATION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
24 MAINT OTHER THAN BLOGGRIPS					
28 TRANSFERS TO GEN L SERVICES					
40 INDIRECT COSTS					
41 ADULT FUND SET ASIDE					
42 TRANSFERS TO GEN L SERVICES					
49 TRANS TO OTHER STATE AG'S					
60 BENEFITS					
TOTAL				11,819	13,001
ESTIMATED SOURCE OF FUNDS FOR					
ADULT BASIC EDUCATION					
00 FEDERAL FUNDS					
TOTAL				1,254	1,254
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
02 DIVISION OF INSTRUCTION					
04 ADULT BASIC EDUCATION					
01 ADULT BASIC EDUCATION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
24 MAINT OTHER THAN BLOGGRIPS					
28 TRANSFERS TO GEN L SERVICES					
40 INDIRECT COSTS					
41 ADULT FUND SET ASIDE					
42 TRANSFERS TO GEN L SERVICES					
49 TRANS TO OTHER STATE AG'S					
60 BENEFITS					
TOTAL				6,251	6,310
ESTIMATED SOURCE OF FUNDS FOR					
ADULT BASIC EDUCATION					
00 FEDERAL FUNDS					
TOTAL				15,861	16,695

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06. EDUCATION				
03. DEPARTMENT OF EDUCATION				
03. DIVISION OF INSTRUCTION				
04. ADULT BASIC EDUCATION				
01. ADULT BASIC EDUCATION				
70. IN-STATE TRAVEL	1,200			
80. OUT-OF-STATE TRAVEL	3,000			
90. GRANTS TO DISTRICTS	442,800			
91. SPECIAL PROJECTS	231,000			
94. TEACHER TRAINING (SEC 309.21)	20,000			
TOTAL	822,753	847,549		
ESTIMATED SOURCE OF FUNDS FOR				
ADULT BASIC EDUCATION				
00. FEDERAL FUNDS				
09. AGENCY INCOME	544,672	564,459		
GENERAL FUND	30,000	35,000		
TOTAL	248,081	248,081		
	822,753	847,549		
06. EDUCATION				
03. DEPARTMENT OF EDUCATION				
03. DIVISION OF INSTRUCTION				
04. ADULT BASIC EDUCATION				
02. TEACHER TRAINING (ABE)				
10. PERSONAL SERVICES - PERMANENT				
20. CURRENT EXPENSES	34,593			
40. INDIRECT COSTS	9,278			
43. AUDIT FUND SET ASIDE	2,850			
50. PERSONNEL	3,000			
60. BENEFITS TO COLA	400			
70. IN-STATE TRAVEL	7,956			
80. OUT-OF-STATE TRAVEL	1,200			
TOTAL	2,700			
ESTIMATED SOURCE OF FUNDS FOR				
TEACHER TRAINING (ABE)				
00. FEDERAL FUNDS	57,865	59,361		
TOTAL	57,865	59,361		
06. EDUCATION				
03. DEPARTMENT OF EDUCATION				
03. DIVISION OF INSTRUCTION				
04. ADULT BASIC EDUCATION				
03. ADULT TUTORIAL PROGRAM				
90. SERVICES TO CLIENTS				
TOTAL	151,587	151,587		
ESTIMATED SOURCE OF FUNDS FOR				
ADULT TUTORIAL PROGRAM				
GENERAL FUND	151,587	151,587		
TOTAL	151,587	151,587		

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06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
03 DIVISION OF INSTRUCTION						
04 ADULT BASIC EDUCATION						
04 ENGLISH AS A SECOND LANGUAGE						
90 CONTRACTED SERVICES				25,000		30,000
94 STAFF DEVELOPMENT				500		500
TOTAL				25,500		30,500
ESTIMATED SOURCE OF FUNDS FOR						
ADULT BASIC EDUCATION						
ADULT AS SECOND LANGUAGE				25,500		30,500
OTHER AGENCY FUNDS				25,500		30,500
TOTAL						
I						
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
03 DIVISION OF INSTRUCTION						
04 ADULT BASIC EDUCATION						
05 JPTA - BASIC SKILLS						
90 GRANTS TO DISTRICTS				45,000		50,000
91 SPECIAL DROPOUT PROJECTS				40,000		45,000
TOTAL				85,000		95,000
ESTIMATED SOURCE OF FUNDS FOR						
BASIC SKILLS						
PRIVATE LOCAL FUNDS				85,000		95,000
TOTAL				85,000		95,000
I						
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
03 DIVISION OF INSTRUCTION						
04 ADULT BASIC EDUCATION						
06 ADULT HOMELESS EDUCATION						
40 INDIRECT COSTS				1,331		1,331
41 AUDIT FUND SET ASIDE				75		75
50 PERSONAL SERVICES - OTHER				8,250		8,250
60 BENEFITS				531		531
90 SERVICES TO CLIENTS				64,712		64,712
TOTAL				74,999		74,999
ESTIMATED SOURCE OF FUNDS FOR						
ADULT HOMELESS EDUCATION						
FEDERAL FUNDS				74,999		74,999
TOTAL				74,999		74,999
E						
D						

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06. EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
05 VOCATIONAL EDUCATION - STATE					
01 VOCATIONAL EDUCATION - STATE					
10 PERSONAL SERVICES - PERMANENT	293,016	293,416			
20 CURRENT EXPENSES	33,824	33,824			
24 MAINT. OTHER THAN BUD&GRNDS	13,722	13,722			
26 EQUIPMENT TO GEN L SERVICES	4,947	4,947			
46 CONSULTANTS	485	485			
50 PERSONAL SERVICES - OTHER	12,529	12,529			
60 BENEFITS	69,523	69,523			
80 OUT-OF-STATE TRAVEL	7,360	7,360			
90 AREA VOC SCH TUITION & TRANS	3,215,124	3,765,124			
92 APPRENTICE TRAINING	58,200	58,200			
TOTAL	3,719,938	4,273,364			
ESTIMATED SOURCE OF FUNDS FOR					
VOCATIONAL EDUCATION - STATE					
GENERAL FUND	3,719,938	4,273,364			
TOTAL	3,719,938	4,273,364			
06. EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
05 VOCATIONAL EDUCATION - FEDERAL					
02 VOCATIONAL EDUCATION - FEDERAL					
10 PERSONAL SERVICES - PERMANENT	337,106	338,051			
20 CURRENT EXPENSES	49,343	46,600			
24 MAINT. OTHER THAN BUD&GRNDS	1,000	1,000			
26 EQUIPMENT TO GEN L SERVICES	21,035	23,898			
30 TRANSFERS TO INFO SERVICES	18,000	18,000			
30 EQUIPMENT	16,264	17,600			
40 INDIRECT COSTS	16,420	54,550			
41 AUDIT FUND SET ASIDE	4,300	5,916			
42 TRANSFERS TO COLA	5,300	1,000			
46 CONSULTANTS	1,000	389,829			
49 TRANS TO OTHER STATE AGYS	389,661	3,014			
50 PERSONAL SERVICES - OTHER	3,014	8,753			
60 BENEFITS	77,200	7,500			
80 OUT-OF-STATE TRAVEL	6,500	6,500			
90 GRANTS - TITLE IIA	1,604,302	1,604,302			
91 GRANTS - TITLE IIB	1,557,998	1,557,998			
92 ANCILLARY - SEX BIAS	1,000	1,000			
93 PERSONAL COUNSELOR DEVELOPM	30,000	30,000			
94 PROGRAM DEV & INFO	54,500	54,500			
95 STAFF DEVELOPMENT	73,961	73,961			
TOTAL	4,315,282	4,321,503			

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06 EDUCATION			(CONT.)		
03 DEPARTMENT OF EDUCATION			(CONT.)		
03 DIVISION OF INSTRUCTION			(CONT.)		
02 VOCATIONAL EDUCATION - FEDERAL			(CONT.)		
02 VOCATIONAL EDUCATION - FEDERAL					
ESTIMATED SOURCE OF FUNDS FOR					
VOCATIONAL EDUCATION - FEDERAL					
00 FEDERAL FUNDS					
TOTAL					
				4,315,282	4,321,503
				4,315,282	4,321,503
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
03 VOCATIONAL EDUCATION - SPECIAL					
03 VOCATIONAL EDUCATION - SPECIAL					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT SERVICES					
20 CURRENT SERVICES - OTHER THAN BLDG&GRNDS					
28 TRANSFERS TO GEN'L SERVICES					
30 EQUIPMENT					
40 INDIRECT COSTS					
41 FUND SET ASIDE					
43 TRANSFER TO COLA					
46 CONSULTANTS					
50 PERSONAL SERVICES - OTHER					
60 BENEFITS					
80 IN-STATE TRAVEL					
90 GRANTS					
32 ANCILLARY SERVICES					
93 GRANTS - COMPREHENSIVE ORGANIZAT					
95 GRANTS - APPRENTICESHIP TRAINING					
97 PROGRAM DEVELOPMENT & INFORMAT					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
VOCATIONAL EDUCATION - SPECIAL					
00 FEDERAL FUNDS					
TOTAL					
				184,992	185,339
				184,992	185,339
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
05 VOCATIONAL EDUCATION					
04 APPRENTICESHIP TRAINING					
90 GRANTS - APPRENTICESHIP					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
APPRENTICESHIP TRAINING					
05 PRIVATE LOCAL FUNDS					
				71,447	71,447
				71,447	71,447

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06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
05 VOCATIONAL EDUCATION			
04 APPRENTICESHIP TRAINING			
TOTAL		71,447	71,447
06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
06 SPECIAL EDUCATION			
01 SPECIAL EDUCATION - STATE			
10 PERSONAL SERVICES - PERMANENT		237,088	238,732
20 PERSONAL SERVICES - TEMPORARY		48,697	48,697
24 MAINT OTHER THAN BLDGGRNDS		2,500	2,500
28 TRANSFERS TO GEN'L SERVICES		12,015	12,015
30 EQUIPMENT		9,512	9,512
46 CONSULTANTS		27,936	27,936
50 BENEFITS		56,667	59,433
60 BENEFITS		5,217	5,217
70 IN-STATE TRAVEL		7,946,722	8,741,405
80 OUT-OF-STATE TRAVEL		339,500	339,500
92 CATASTROPHIC COST			
93 STATEWIDE SPECIAL ED PROGRAM			
TOTAL		8,700,622	9,499,705
ESTIMATED SOURCE OF FUNDS FOR			
SPECIAL EDUCATION - STATE		8,700,622	9,499,705
GENERAL FUND			
TOTAL			
06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
03 DIVISION OF INSTRUCTION			
06 SPECIAL EDUCATION			
02 SPECIAL EDUCATION - FEDERAL			
10 PERSONAL SERVICES - PERMANENT		250,901	253,683
20 PERSONAL SERVICES - TEMPORARY		40,760	40,760
24 MAINT OTHER THAN BLDGGRNDS		2,060	2,060
28 TRANSFERS TO GEN'L SERVICES		17,862	19,324
29 TRANSFERS TO INFO SERVICES		7,500	7,500
30 EQUIPMENT COSTS		41,177	41,623
40 TRAVEL		5,708	5,715
41 AUDIT FUND SET ASIDE		4,391	4,440
42 TRANSFER TO COLA		65,059	65,059
46 CONSULTANTS		13,181	13,181
49 TRANS TO OTHER STATE AGES		6,458	6,458
50 BENEFITS		58,201	61,378
60 BENEFITS		6,775	6,775
70 IN-STATE TRAVEL		3,100	3,100
80 OUT-OF-STATE TRAVEL			

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
06 SPECIAL EDUCATION					
02 SPECIAL EDUCATION - FEDERAL					
90 GRANTS TO LOCAL LEA		4,238,585		4,237,401	
92 GRANTS TO INSTITUTIONALIZED		200,000		200,000	
93 SYSTEMS CHANGE GRANT		244,326		244,326	
TOTAL		5,706,763		5,713,224	
ESTIMATED SOURCE OF FUNDS FOR					
SPECIAL EDUCATION - FEDERAL		5,706,763		5,713,224	
00 FEDERAL FUNDS		5,706,763		5,713,224	
TOTAL					
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
06 SPECIAL EDUCATION					
04 REGIONAL DEMONSTRATION PROJECT					
90 REGIONAL DEMONSTRATION PROJECT		1,900,000		2,000,000	
TOTAL		1,900,000		2,000,000	
ESTIMATED SOURCE OF FUNDS FOR					
REGIONAL DEMONSTRATION PROJECT		1,900,000		2,000,000	
GENERAL FUND		1,900,000		2,000,000	
TOTAL					
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
06 SPECIAL EDUCATION					
05 INFANT AND TODDLER PROGRAM					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES		119,224		124,490	
30 PERSONNEL		18,600		18,600	
40 INDIRECT COSTS		19,076		19,919	
41 AUDIT FUND SET ASIDE		328		328	
42 TRANSFER TO COLA		2,087		2,087	
46 CONSULTANTS		125,939		125,939	
50 TRAVEL		27,422		29,878	
70 IN-STATE TRAVEL		3,600		3,600	
80 OUT-OF-STATE TRAVEL		4,400		4,400	
TOTAL		327,334		327,333	
ESTIMATED SOURCE OF FUNDS FOR					
INFANT AND TODDLER PROGRAM		327,334		327,333	
00 FEDERAL FUNDS		327,334		327,333	
TOTAL					

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
06 SPECIAL EDUCATION					
06 EARLY CHILDHOOD STATE PLAN					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	27,729				28,997
24 MAINT OTHER THAN BLDG&PNDS	5,536				5,536
29 TRANSFERS TO INFO SERVICES	410				410
30 TRANSFERS TO INFO SERVICES	4				
40 EQUIPMENT COSTS	1,100				1,000
41 INDIREC COSTS	5,500				5,500
41 AUDIT FUND SET ASIDE	5,621				5,621
42 TRANSFER TO COLA	D				D
46 CONSULTANTS	486				508
60 BENEFIT SERVICES - OTHER	12,972				12,750
70 IN-STATE TRAVEL	7,982				7,982
80 OUT-OF-STATE TRAVEL	6,982				7,000
90 GRANTS-SUBSIDIES, CONTRIBUTIONS	4,672				4,672
93 EDUCATIONAL TRAINING	1,030				1,030
TOTAL	542,811				540,961
ESTIMATED SOURCE OF FUNDS FOR					
EARLY CHILDHOOD STATE PLAN	620,447				620,673
100 FEDERAL FUNDS					
TOTAL					620,673
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
06 SPECIAL EDUCATION					
07 SPEC ED CHAPTER 402 26					
90 GRANTS-SUBSIDIES, CONTRIBUTIONS					
TOTAL	312,205				404,205
ESTIMATED SOURCE OF FUNDS FOR					
SPEC ED CHAPTER 402 26	312,205				404,205
GENERAL FUND					
TOTAL					404,205
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
03 DIVISION OF INSTRUCTION					
06 SPECIAL EDUCATION					
09 COMPREHENSIVE SYS OF PER DEV					
41 AUDIT FUND SET ASIDE	D				61
46 CONSULTANTS					28,807
90 GRANTS-SUBSIDIES, CONTRIBUTIONS					31,132
TOTAL					60,000
ESTIMATED SOURCE OF FUNDS FOR					
COMPREHENSIVE SYS OF PER DEV	60,000				60,000

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03 DEPARTMENT OF EDUCATION							
04 DIV STANDARDS & CERTIFICATION							
01 STANDARDS & CERTIFICATION							
01 STANDARDS & CERTIFICATION-4CHN							
GENERAL FUND						117,206	119,234
TOTAL						117,206	119,234
06 EDUCATION							
03 DEPARTMENT OF EDUCATION							
04 DIV STANDARDS & CERTIFICATION							
01 STANDARDS & CERTIFICATION							
02 EQUAL EDUCATIONAL OPPORTUNITY							
10 PERSONAL SERVICES - PERMANENT						126,446	127,713
20 CURRENT EXPENSES						17,860	17,700
24 MAINT OTHER THAN BLDG&GRNDS						2,500	2,500
28 TRANSFERS TO GEN L SERVICES						12,560	12,949
30 EQUIPMENT COSTS						1,500	1,500
40 TRAVEL						20,534	20,534
41 AUDIT FUND SET ASIDE						2,213	2,235
42 TRANSFER TO COLA						10,000	12,000
46 CONSULTANTS						29,083	30,651
50 BENEFITS						3,000	3,000
60 OUT-OF-STATE TRAVEL						3,000	3,000
90 CONFERENCES & WORKSHOPS						7,900	7,900
91 DISSEMINATING & PRINTING						4,900	4,900
TOTAL						242,425	248,331
ESTIMATED SOURCE OF FUNDS FOR							
EQUAL EDUCATIONAL OPPORTUNITY						242,425	248,331
00 FEDERAL FUNDS						242,425	248,331
TOTAL							
06 EDUCATION							
03 DEPARTMENT OF EDUCATION							
04 DIV STANDARDS & CERTIFICATION							
01 STANDARDS & CERTIFICATION							
03 TRANSITION PRGRM/REFUGEE CHILD							
41 AUDIT FUND SET ASIDE						22	22
90 SUPPLEMENTAL EDUCATION SERVICE						21,878	21,878
TOTAL						21,900	21,900
ESTIMATED SOURCE OF FUNDS FOR							
TRANSITION PRGRM/REFUGEE CHILD						21,900	21,900
00 FEDERAL FUNDS						21,900	21,900
TOTAL							

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6. EDUCATION			
03 DEPARTMENT OF EDUCATION			
04 DIV STANDARDS & CERTIFICATION			
01 STANDARDS & CERTIFICATION			
04 JOB TRAINING PARTNERSHIP ACT			
10 PERSONAL SERVICES - PERMANENT	28,753	30,052	
20 CURRENT EXPENSES	5,868	5,064	
40 INDIRECT COSTS	5,933	5,933	
41 AUDIT FUND SET ASIDE	57	57	
50 PERSONAL SERVICES OTHER	2,220	2,220	
70 TRAVEL	6,460	7,459	
80 OUT-OF-STATE TRAVEL	1,621	1,621	
90 PERSONNEL DEVELOPMENT	200	200	
30 IN SERVICE EDUCATION	100	100	
TOTAL	52,621	53,744	
ESTIMATED SOURCE OF FUNDS FOR			
JOB TRAINING PARTNERSHIP ACT			
05 PRIVATE LOCAL FUNDS	52,621	53,744	
TOTAL	52,621	53,744	
6. EDUCATION			
03 DEPARTMENT OF EDUCATION			
04 DIV STANDARDS & CERTIFICATION			
01 STANDARDS & CERTIFICATION			
05 TEACHERS COMPETENCE FUND			
90 PERSONNEL DEVELOPMENT	25,060	25,060	
TOTAL	25,060	25,060	
ESTIMATED SOURCE OF FUNDS FOR			
TEACHERS COMPETENCE FUND			
03 REVOLVING FUNDS	25,060	25,060	
TOTAL	25,060	25,060	

THE INCOME RECEIVED BY PAU 06-03-04-01-05, AND TEACHERS COMPETENCE FUNDS FOR THE APPROPRIATION AUTHORITY SHALL BE MADE AVAILABLE WITH THE APPROVAL OF GOVERNOR AND COUNCIL FOR THE SOLE PURPOSE OF PROVIDING SUPPORT FOR ANY ACTIVITY CALCULATED TO INCREASE THE PROFESSIONAL COMP. PAID TO THE TEACHERS OF NEW HAMPSHIRE RSA 186 7-A

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06. EDUCATION							
03. DEPARTMENT OF EDUCATION							
04. DIV. STANDARDS & CERTIFICATION							
01. STANDARDS & CERTIFICATION							
06. DRIVER EDUCATION							
10. PERSONAL SERVICES - PERMANENT				50,754		50,954	
20. CURRENT EXPENSES				8,505		8,597	
24. MAINT. OTHER THAN BLDG&GRNDS				750		750	
28. TRANSFERS TO GEN L SERVICES	D			4,187		4,317	
30. EQUIPMENT				2,000		2,000	
40. INDEMNITY				11,673		12,228	
60. BENEFITS COSTS	E			1,210		1,100	
70. IN-STATE TRAVEL				1,000		1,100	
80. OUT-OF-STATE TRAVEL				300		300	
90. CONFERENCE & WORKSHOP							
TOTAL				88,500		88,500	
ESTIMATED SOURCE OF FUNDS FOR							
DRIVER EDUCATION							
01. OTHER AGENCY FUNDS	I			88,500		88,500	
TOTAL				88,500		88,500	
06. EDUCATION							
03. DEPARTMENT OF EDUCATION							
04. DIV. STANDARDS & CERTIFICATION							
01. STANDARDS & CERTIFICATION							
07. PRINTING - REVOLVING FUND							
20. CURRENT EXPENSES				9,700		9,700	
TOTAL				9,700		9,700	
ESTIMATED SOURCE OF FUNDS FOR							
PRINTING - REVOLVING FUND							
03. REVOLVING FUNDS				9,700		9,700	
TOTAL				9,700		9,700	

PRINTED MATERIALS - REVOLVING FUND
 03. REVOLVING FUNDS - PRINTING - SOLE PURPOSE
 03. REVOLVING FUNDS - PRINTING - SOLE PURPOSE
 OF PRINTING MATERIALS FOR DISTRIBUTION BY THE
 DEPARTMENT OF EDUCATION REFERENCE
 RSA 186:13 XII.

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		FISCAL YEAR 1990	FISCAL YEAR 1991
06 EDUCATION			
03 DEPT OF EDUCATION			
04 DIV STANDARDS & CERTIFICATION			
02 SCHOOL APPRVL, CONST & FINANCE			
02 SCHOOL APPROVAL SECTION			
10 PERSONAL SERVICES - PERMANENT			
20 CURRENT EXPENSES	147,624		148,845
24 MAINT OTHER THAN BLDGGRNDS	11,129		10,963
28 TRANSFERS TO GEN L SERVICES	5,981		6,883
60 EQUIPMENT	32,500		31,500
70 IN-STATE TRAVEL	32,500		35,723
80 OUT-OF-STATE TRAVEL	2,000		2,000
90 CONFERENCES & WORKSHOPS	1,500		1,500
TOTAL	204,492	204,492	207,396
ESTIMATED SOURCE OF FUNDS FOR			
SCHOOL APPROVAL SECTION			
GENERAL FUND	204,492	204,492	207,396
06 EDUCATION			
03 DEPARTMENT OF EDUCATION			
04 DIV STANDARDS & CERTIFICATION			
02 SCHOOL APPRVL, CONST & FINANCE			
03 NH BUILDING AUTHORITY			
20 CURRENT EXPENSES	829		
46 CONSULTANTS	4,850		4,850
TOTAL	5,679	5,679	5,679
ESTIMATED SOURCE OF FUNDS FOR			
NH BUILDING AUTHORITY			
03 REVOLVING FUNDS			
TOTAL	5,679	5,679	5,679

THE INCOME RECEIVED BY PAU 06-03-04-02-03, N H BUILDING AUTHORITY, SHALL NOT LAPSE AND, IF THE INCOME IS IN EXCESS OF THE APPROPRIATION AUTHORITY, SHALL BE MADE AVAILABLE FOR THE APPROVAL OF GOVERNOR AND COUNCIL FOR THE PURPOSE OF PROVIDING SUPPORT FOR STATE GAMING REVENUE WITH RESPECT TO BORROWINGS AUTHORIZED BY SUCH DISBURSERS OF SCHOOL PROJECTS OF NOT LESS THAN \$100,000 INCLUDING THE CONSTRUCTION, ENLARGEMENT OR ALTERATION OF SCHOOL BUILDINGS. RSA 195-C:1

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06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
04 DIVISION OF STANDARDS & CERTIFICATION						
02 SCHOOL APPROVAL, CONST. & FINANCE						
04 SCHOOL VOLUNTEER PROGRAM/COHM						
90 CONTRACTED SERVICES					60,254	60,254
TOTAL					60,254	60,254
ESTIMATED SOURCE OF FUNDS FOR						
SCHOOL VOLUNTEER PROGRAM/COHM					60,254	60,254
GENERAL FUND					60,254	60,254
TOTAL					60,254	60,254
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
04 DIVISION OF STANDARDS & CERTIFICATION						
02 SCHOOL APPROVAL, CONST. & FINANCE						
05 ELIMINATE ARCHITECTURAL BARRIER						
41 AUDIT FUND SET ASIDE					136	136
90 GRANTS TO DISTRICTS					134,947	134,947
TOTAL					135,083	135,083
ESTIMATED SOURCE OF FUNDS FOR						
ELIMINATE ARCHITECTURAL BARRIER					135,083	135,083
90 FEDERAL FUNDS					135,083	135,083
TOTAL					135,083	135,083
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
04 DIVISION OF STANDARDS & CERTIFICATION						
02 SCHOOL APPROVAL, CONST. & FINANCE						
01 FOOD AND NUTRITION - STATE						
10 PERSONAL SERVICES - PERMANENT					52,384	52,384
20 CURRENT EXPENSES					5,550	5,550
30 PERSONAL SERVICES - TEMPORARY					2,250	2,250
28 TRANSFERS TO GEN'L SERVICES					2,810	2,810
30 EQUIPMENT					1,445	1,445
46 CONSULTANTS					1,000	1,195
50 PERSONAL SERVICES - OTHER					5,000	5,000
60 REPAIRS & MAINTENANCE					12,431	13,108
70 IN-STATE TRAVEL					500	600
80 OUT-OF-STATE TRAVEL					2,300	2,300
TOTAL					92,770	94,278
ESTIMATED SOURCE OF FUNDS FOR						
FOOD AND NUTRITION - STATE					92,770	94,278
GENERAL FUND					92,770	94,278
TOTAL					92,770	94,278

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
04 DEPARTMENT STANDARDS & CERTIFICATION					
05 SCHOOL NUTRITION					
02 PROGRAM SERVICES - NUTRITION					
10 PERSONAL SERVICES - PERMANENT		181,562		182,926	
20 PERSONAL SERVICES - TEMPORARY		29,689		29,685	
24 PERSONAL SERVICES - BLOGBONDS		3,400		3,400	
28 TRANSFERS TO GEN L SERVICES	D	3,828		3,973	
30 EQUIPMENT		8,000		8,000	
40 INDIRECT COSTS	E	36,151		36,659	
42 INDIRECT COSTS - ASIDE		3,496		3,420	
44 TRANSFERS TO COLA	D	4,000		4,000	
46 CONSULTANTS		3,000		3,000	
50 PERSONAL SERVICES - OTHER		41,132		41,132	
60 BENEFITS		10,000		10,000	
70 TRAVEL		3,726		3,606	
70 UNIT STATE TRAVEL		6,518,069		6,514,403	
90 SCHOOL LUNCH SPECIAL ASST		500,000		500,000	
92 SCHOOL MILK		800,000		800,000	
96 SCHOOL BREAKFAST		2,000		2,000	
98 STAFF DEVELOPMENT					
TOTAL		8,150,351		8,150,858	
ESTIMATED SOURCE OF FUNDS FOR					
PROGRAM SERVICES - NUTRITION					
00 FEDERAL FUNDS		8,150,351		8,150,858	
TOTAL		8,150,351		8,150,858	
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
04 DEPARTMENT STANDARDS & CERTIFICATION					
05 SCHOOL NUTRITION					
03 SCHOOL NUTRITION - SECTION IV					
41 AUDIT FUND SET ASIDE	0	2,596		2,596	
91 SCHOOL LUNCH SECTION IV		3,649,600		3,675,000	
TOTAL		3,652,196		3,677,596	
ESTIMATED SOURCE OF FUNDS FOR					
SCHOOL NUTRITION - SECTION IV					
00 FEDERAL FUNDS		2,820,193		2,845,593	
GENERAL FUND		832,003		832,003	
TOTAL		3,652,196		3,677,596	

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06 EDUCATION								
03 DEPARTMENT OF EDUCATION								
04 DIV STANDARDS & CERTIFICATION								
03 FOOD & NUTRITION								
04 SUMMER FOOD SERVICE PROGRAM								
20	CURRENT EXPENSES				2,925		2,925	
24	MAINT OTHER THAN BLDGSPND				75		75	
28	TRANSFERS TO GEN L SERVICES				2,250		2,250	
30	EQUIPMENT				3,100		3,100	
40	INDIRECT COSTS				301		301	
41	AUDIT FUND SET ASIDE				19,374		19,374	
50	PERSONAL SERVICES - OTHER				1,482		1,482	
60	BENEFITS				1,300		1,300	
70	IN-STATE TRAVEL				260,853		260,853	
80	OUT-OF-STATE TRAVEL				1,200		1,200	
90	PROGRAM REIMBURSEMENT				3,000		3,000	
95	HEALTH INSPECTION & INFORMATION				200		200	
98	STAFF DEVELOPMENT							
TOTAL ESTIMATED SOURCE OF FUNDS FOR SUMMER FOOD SERVICE PROGRAM					300,401		300,401	
00 FEDERAL FUNDS					300,401		300,401	
TOTAL					300,401		300,401	
06 EDUCATION								
03 DEPARTMENT OF EDUCATION								
04 DIV STANDARDS & CERTIFICATION								
03 FOOD & NUTRITION								
05 NUTRITIONAL EDUCATION AND TRNG								
20	CURRENT EXPENSES				3,720		3,720	
28	TRANSFERS TO GEN L SERVICES				1,250		1,250	
30	EQUIPMENT				2,720		2,720	
40	INDIRECT COSTS				76		76	
41	AUDIT FUND SET ASIDE				12,600		12,600	
50	PERSONAL SERVICES - OTHER				1,300		1,300	
60	BENEFITS				1,300		1,300	
70	IN-STATE TRAVEL				692		692	
80	OUT-OF-STATE TRAVEL				1,300		1,300	
90	NUTRITION TRAINING PROGRAMS				32,057		32,057	
TOTAL					75,416		75,416	
ESTIMATED SOURCE OF FUNDS FOR NUTRITIONAL EDUCATION AND TRNG								
00 FEDERAL FUNDS					75,416		75,416	
TOTAL					75,416		75,416	

	FISCAL YEAR 1990	FISCAL YEAR 1991
1. Total	100.0	100.0
2. Federal Government	10.0	10.0
3. State Government	20.0	20.0
4. Local Government	70.0	70.0
5. Private	0.0	0.0
6. Other	0.0	0.0

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06 EDUCATION		
03 DEPARTMENT OF EDUCATION		
04 DIVISION OF EDUCATION		
05 TEACHER CERTIFICATION		
06 CHILD CARE FOOD SVCE PROGRAM		
10 PERSONAL SERVICES - PERMANENT		
20 CURRENT EXPENSES		
24 TRANSFERS TO GEN'L SERVICES		
30 EQUIPMENT		
40 INDIRECT COSTS		
41 ADUIT FUND SET ASIDE		
42 TRANSFER TO COLA		
50 PERSONAL SERVICES - OTHER		
70 IN-STATE TRAVEL		
80 OUT-OF-STATE TRAVEL		
90 PROGRAM AUDITS		
91 PROGRAM REIMBURSEMENT		
92 SPONSOR ADMIN FORTS		
98 STAFF DEVELOPMENT		
TOTAL		
ESTIMATED SOURCE OF FUNDS FOR		
CHILD CARE FOOD SVCE PROGRAM		
TOTAL		
06 EDUCATION		
03 DEPARTMENT OF EDUCATION		
04 DIVISION OF EDUCATION		
05 TEACHER EDUCATION & CERTIFICAT		
06 CHILD CARE FOOD SVCE PROGRAM		
10 PERSONAL SERVICES - PERMANENT		
20 CURRENT EXPENSES		
24 TRANSFERS TO GEN'L SERVICES		
30 EQUIPMENT		
40 INDIRECT COSTS		
50 PERSONAL SERVICES - OTHER		
60 BENEFITS		
70 IN-STATE TRAVEL		
80 OUT-OF-STATE TRAVEL		
90 PROFESSIONAL STANDARDS		
TOTAL		
ESTIMATED SOURCE OF FUNDS FOR		
TEACHER CERTIFICATION		
09 AGENCY INCOME		
TOTAL		

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06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 04 DIV STANDARDS & CERTIFICATION
 04 TEACHER EDUCATION & CERTIFICATION
 01 TEACHER CERTIFICATION

1 CONT 1
 1 CONT 1
 1 CONT 1

TEACHER CERTIFICATION FOR THE BIENNIIUM
 ENDING JUNE 30 1991. THE STATE BOARD OF
 EDUCATION HAS AUTHORIZED TO EXPEND, IN
 ACCORDANCE THEREWITH, THE FOLLOWING
 BALANCE AND ANY FUNDS WHICH MAY BECOME
 AVAILABLE DURING THE BIENNIIUM IN PAY 06-03-04-
 04-01. SUCH EXPENDITURES TO BE MADE AS
 NECESSARY FOR THE EFFICIENT OPERATION OF SAID
 OFFICE SHALL BE IDENTIFIED IN THE LINE OF
 STATE GENERAL FUNDS AND FURTHER SHALL BE
 SUBJECT TO THE PRIOR APPROVAL OF THE FISCAL
 COMMITTEE AND THE APPROVAL OF THE GOVERNOR AND
 COUNCIL

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 04 DIV STANDARDS & CERTIFICATION
 04 TEACHER EDUCATION & CERTIFICATION
 02 PROGRAM DEVELOPMENT

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 21 TRANSFERS TO GEN L SERVICES
 28 TRANSFERS TO GEN L SERVICES
 30 EQUIPMENT
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

66,184
 8,483
 1,300
 1,300
 1,240
 1,240
 15,222
 15,883
 1,857
 1,785

96,014

96,676

96,014

96,676
 96,676

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PROGRAM DEVELOPMENT
 GENERAL FUND
 TOTAL

15,317,455

15,356,364

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DIV STANDARDS & CERTIFICATION
 FEDERAL FUNDS
 GENERAL FUNDS
 OTHER FUNDS
 TOTAL

13,415,188

13,450,854

1,392,739

1,399,841

1,509,528

1,509,659

15,317,455

15,356,364

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06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 01 VOCATIONAL REHABILITATION
 01 VOCATIONAL REHAB - ADMIN

10 PERSONAL SERVICES - PERMANENT
 11 PERSONAL SERVICES-UNCLASSIFIED
 20 CURRENT EXPENSES
 22 PERSONAL SERVICES - NON-STATE
 60 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 INFO-LINE

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 VOCATIONAL REHAB - ADMIN
 GENERAL FUND
 TOTAL

19,832	123,027	124,466
5,127		
11,467	123,027	124,466
1,242		
17,300		
17,352		
1,248		
1,600		
15,000		

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 02 PROGRAM ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 PERSONAL SERVICES - NON-STATE
 24 PAINT OTHER THAN BLDG&GRNDS
 29 TRANSFERS TO INFO SERVICES
 40 INDIRECT COSTS
 42 ADJUDICATIONS
 44 TRANSFERS TO COLA
 49 TRANS TO OTHER STATE AGYS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 PROGRAM ADMINISTRATION
 GENERAL FUND
 TOTAL

427,871	429,271	
57,653	58,263	
56,118	66,202	
2,650	2,915	
25,213	88,939	
68,580	68,578	
7,488	7,512	
4,000	4,000	
1,595	1,595	
91,200	103,147	
11,200	11,200	
1,900	2,090	
733,555	740,712	
579,508	577,755	
154,047	162,957	
733,555	740,712	

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06 EDUCATION								
03 DEPARTMENT OF EDUCATION								
05 DIV VOCATIONAL REHABILITATION								
02 GRANTS ADMIN. & SPECIAL PRJTS								
01 INDEPENDENT SERVICES (PART A)								
10 PERSONAL SERVICES - PERMANENT								
20 CURRENT EXPENSES								
22 RENTS & LEASES TO NON-STATE								
24 MAINT. OTHER THAN BUDGETGRNS								
30 EQUIPMENT								
40 INDIRECT COSTS								
42 TRANSFER TO COLA								
43 TRANS TO OTHER STATE ACYS								
50 PERSONAL SERVICES - OTHER								
60 BENEFITS								
70 IN-STATE TRAVEL								
80 OUT-OF-STATE TRAVEL								
90 PROJECT GRANTS								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
INDEPENDENT SERVICES (PART A)								
GENERAL FUND								
TOTAL								
06 EDUCATION								
03 DEPARTMENT OF EDUCATION								
05 DIV VOCATIONAL REHABILITATION								
02 GRANTS ADMIN. & SPECIAL PRJTS								
01 INDEPENDENT SERVICES (PART B)								
20 CURRENT EXPENSES								
40 INDIRECT COSTS								
41 AUDIT FUND SET ASIDE								
49 TRANS TO OTHER STATE ACYS								
50 PERSONAL SERVICES - OTHER								
60 BENEFITS								
90 INDEPENDENT SERVICES								
TOTAL								
ESTIMATED SOURCE OF FUNDS FOR								
INDEPENDENT SERVICES (PART B)								
GENERAL FUND								
TOTAL								
33,432								
3,500								
1,570								
1,545								
1,600								
8,329								
2,000								
500								
1,000								
18,564								
9,458								
1,872								
1,000								
143,304								
222,220								
199,999								
22,222								
222,220								
200,000								
187,667								
199,999								
200,000								
199,999								
200,000								

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
05 DIV VOCATIONAL REHABILITATION					
02 GRANTS ADMIN & SPECIAL PRJTS					
03 WORKER PERSONAL CARE ATTENDANT					
90 GRANTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
WORKER PERSONAL CARE ATTENDANT					
GENERAL FUND					
TOTAL					
			7,300		7,300
					7,300
					7,300
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
05 DIV VOCATIONAL REHABILITATION					
02 GRANTS ADMIN & SPECIAL PRJTS					
04 SUPPORTED EMPLOYMENT PROJECT					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
40 INDIRECT COSTS					
41 AUDIT FUND SET ASIDE					
42 TRANSFER TO COLA					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 GRANTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
SUPPORTED EMPLOYMENT PROJECT					
GENERAL FUNDS					
TOTAL					
			762,835		771,345
					771,345
					771,345
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
05 DIV VOCATIONAL REHABILITATION					
02 GRANTS ADMIN & SPECIAL PRJTS					
05 SOCIAL SECURITY TRUST FUND PRO					
41 AUDIT FUND SET ASIDE					
90 REHABILITATION SERVICES					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
SOCIAL SECURITY TRUST FUND PRO					
GENERAL FUNDS					
TOTAL					
			80,160		81
					80,160
					80,241
					80,241
					80,241

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06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 03 REHABILITATION SERVICES
 01 VOC REHAB PROGRAM - STATE
 30 SUPPORTED SERVICES
 470,343 246,312 246,312
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 VOC REHAB PROGRAM - STATE
 470,343 246,312 246,312
 TOTAL FUND

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 03 REHABILITATION SERVICES
 02 FIELD PROGRAMS - MATCH
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINT OTHER THAN BLDG&GRNDS
 30 EQUIPMENT
 40 INDIRECT COSTS
 42 TRANSFER TO COLA
 46 CONSULTANTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 REHABILITATION SERVICES
 3,700,848 4,240,511 7,062,795
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 FIELD PROGRAMS - MATCH
 6,475,666 7,062,795
 00 FEDERAL FUNDS
 GENERAL FUND
 5,115,776 5,508,980
 TOTAL
 6,475,666 7,062,795

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 03 REHABILITATION SERVICES
 03 FIELD PROGRAMS - STATE
 10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 30 EQUIPMENT
 40 INDIRECT COSTS
 42 TRANSFER TO COLA
 46 CONSULTANTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 REHABILITATION SERVICES
 67,504 68,198
 3,760 3,760
 15,349 16,358
 5,167 5,186
 175 175

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06. EDUCATION						
03 DEPARTMENT OF EDUCATION						
05 DIV VOCATIONAL REHABILITATION						
03 REHABILITATION SERVICES						
03 FIELD PROGRAMS - STATE						
TOTAL						
ESTIMATED SOURCE OF FUNDS FOR						
FIELD PROGRAMS - STATE						
GENERAL FUND						
TOTAL			92,755		94,187	
			92,755		94,187	
			92,755		94,187	
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
05 DIV VOCATIONAL REHABILITATION						
03 REHABILITATION SERVICES						
04 STATE SUPPORTED ENPL TITL VI-C						
20 CURRENT EXPENSES				500		500
40 INDIRECT COSTS				2,800		2,800
50 PERSONAL SERVICES - OTHER				17,500		17,500
60 BENEFITS				1,339		1,339
70 IN-STATE TRAVEL				600		600
90 CLIENT SERVICES				326,911		326,911
TOTAL			350,000		350,000	
ESTIMATED SOURCE OF FUNDS FOR						
STATE SUPPORTED ENPL TITL VI-C						
00 FEDERAL FUNDS						
TOTAL						
06 EDUCATION						
03 DEPARTMENT OF EDUCATION						
05 DIV VOCATIONAL REHABILITATION						
03 REHABILITATION SERVICES						
05 DISABLED WORKER ADAPTIVE EQUIP						
91 ADAPTIVE EQUIPMENT			5,000		5,000	
TOTAL			5,000		5,000	
ESTIMATED SOURCE OF FUNDS FOR						
DISABLED WORKER ADAPTIVE EQUIP						
GENERAL FUND						
TOTAL						

THE APPROPRIATION FOR 06-03-05-00-05,
 DISABLED WORKER ADAPTIVE EQUIPMENT, SHALL NOT
 Lapse AND THE DIVISION OF VOCATIONAL
 REHABILITATION WITH THE APPROVAL OF GOVERNOR

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05 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 03 REHABILITATION SERVICES
 05 DISABLED WORKER ADAPTIVE EQUIP
 (CONT)
 (CONT)
 (CONT)
 (CONT)

AND COUNCIL MAY ACCEPT PRIVATE DONATIONS FOR
 PURPOSES IN THE FUND ESTABLISHED FOR SUCH
 PURPOSES AS SPECIFIED IN RSA 200-C 16-17

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 03 REHABILITATION SERVICES
 06 IN-SERVICE TRAINING

30 EQUIPMENT
 80 OUT-OF-STATE TRAVEL
 91 WORKSHOPS

595
 41
 5,053
 38,800

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 IN-SERVICE TRAINING
 00 FEDERAL FUNDS
 GENERAL FUND
 TOTAL

44,489
 40,040
 4,449
 44,489

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 03 REHABILITATION SERVICES
 07 TELECOMMUNICATION EQUIPMENT
 90 TELECOMMUNICATIONS

5,000

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 TELECOMMUNICATION EQUIPMENT
 GENERAL FUND
 TOTAL

5,000
 5,000
 5,000

06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIV VOCATIONAL REHABILITATION
 03 SERVICES FOR THE BLIND
 01 BLIND PROGRAM - STATE

10 PERSONAL SERVICES - PERMANENT
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 MAINT. OTHER THAN BLDG&GRNDS
 00 PERSONAL SERVICES - OTHER
 90 BENEFITS

114,316
 10,120
 14,046
 1,046
 1,779
 27,349

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06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
05 DIV VOCATIONAL REHABILITATION					
04 SERVICES FOR THE BLIND					
03 VENDING STANDS					
60 BENEFITS					
70 IN-STATE TRAVEL					
80 OUT-OF-STATE TRAVEL					
90 REHABILITATION SERVICES					
31 MONTHLY COMPENSATION					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
VENDING STANDS					
00 GENERAL FUNDS					
01 FEDERAL FUND					
TOTAL					
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
05 DIV VOCATIONAL REHABILITATION					
04 SERVICES FOR THE BLIND					
04 JOHN NESMITH FUND					
30 CLIENT SERVICES					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
JOHN NESMITH FUND					
03 REVOLVING FUNDS					
TOTAL					
<p>THE INCOME RECEIVED BY PAU 06-03-05-04-04 JOHN NESMITH FUND, SHALL NOT LAPSE AND, IF THE INCOME IS IN EXCESS OF THE APPROPRIATION, THE EXCESS SHALL BE REIMBURSED TO THE STATE TREASURY. THE GOVERNOR AND COUNCIL FOR THE SOLE APPROVAL OF PROVIDING SUPPORT FOR SERVICES FOR THE INDIGENT BLIND, RSA 186-B:8</p>					
06 EDUCATION					
03 DEPARTMENT OF EDUCATION					
05 DIV VOCATIONAL REHABILITATION					
04 SERVICES FOR THE BLIND					
05 VENDING STANDS - SET ASIDE					
90 CLIENT SERVICES					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
VENDING STANDS - SET ASIDE					

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06 EDUCATION
 03 DEPARTMENT OF EDUCATION
 05 DIVISION OF VOCATIONAL REHABILITATION
 01 DISABILITY DETERMINATION UNIT
 01 DISABILITY DETERMINATION SVC

70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 50 REHABILITATION SERVICES

TOTAL

ESTIMATED SOURCE OF FUNDS FOR
 DISABILITY DETERMINATION SVC
 FEDERAL FUNDS
 TOTAL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DIVISIONAL REHABILITATION
 FEDERAL FUNDS
 GENERAL FUND
 OTHER FUNDS
 TOTAL

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 DEPARTMENT OF EDUCATION
 FEDERAL FUNDS
 GENERAL FUND
 OTHER FUNDS
 TOTAL

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 01 OFFICE OF THE COMMISSIONER
 01 ADMINISTRATION

10 PERSONAL SERVICES - PERMANENT
 11 SALARY OF COMMISSIONER
 12 SALARY OF DEPUTY COMMISSIONER
 20 CURRENT EXPENSES
 22 RENTS & LEASES TO NON-STATE
 24 RENTALS OTHER THAN BLDGGRNDS
 26 TRAVEL
 46 CONSULTANTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL

(CONT.)
 (CONT.)
 (CONT.)
 (CONT.)

2,903
 435,951

2,890,315

2,890,315

2,890,315

13,710,542

11,043,931

2,627,266

13,710,542

132,953,975

52,820,223

35,860,674

13,253,925

304,320

57,554

48,615

48,801

3,500

12,175

13,995

17,844

95,910

104,785

28,500

309,586

57,554

48,615

48,801

3,500

12,175

13,995

17,844

95,910

104,785

28,500

2,934,230

2,934,230

2,934,230

14,158,392

11,486,027

2,672,365

14,158,392

140,049,810

54,555,847

36,234,803

13,000,000

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05 EDUCATION					
01 DEPT OF POST SEC VOC TECH EDUC					
02 OFFICE OF THE COMMISSIONER					
03 ADMINISTRATION					
(CONT.)					
(CONT.)					
(CONT.)					
(CONT.)					
01 ADMINISTRATION					
91 STAFF DEVELOPMENT					
93 MARKETING PROGRAM					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
ADMINISTRATION					
GENERAL FUND					
TOTAL					
13,500					
150,000					
851,115					
851,115					
851,115					
851,115					
06 EDUCATION					
01 DEPT OF POST SEC VOC TECH EDUC					
02 OFFICE OF THE COMMISSIONER					
03 VOC-TECH LOAN FUND					
20 CURRENT EXPENSES					
20 LOANS TO STUDENTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
VOC-TECH LOAN FUND					
03 REVOLVING FUNDS					
TOTAL					
100					
16,562					
16,562					
16,562					
16,562					
07 EDUCATION					
01 DEPT OF POST SEC VOC TECH EDUC					
02 OFFICE OF THE COMMISSIONER					
03 FINANCIAL AID OFFICERS					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
30 EQUIPMENT					
50 PERSONAL SERVICES - OTHER					
60 TRAVEL					
70 IN-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
FINANCIAL AID OFFICERS					
GENERAL FUND					
TOTAL					
183,847					
3,344					
53,640					
44,062					
44,062					
53,640					
3,255					
314,007					
314,007					
314,007					
314,007					

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
01 OFFICE OF THE COMMISSIONER					
04 BOARD OF GOVERNORS					
20 CURRENT EXPENSES				2,268	
70 IN-STATE TRAVEL				3,990	
80 OUT-OF-STATE TRAVEL				500	
TOTAL					6,758
ESTIMATED SOURCE OF FUNDS FOR					
BOARD OF GOVERNORS					
GENERAL FUND				6,758	
TOTAL				6,758	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
01 OFFICE OF THE COMMISSIONER					
05 VOC EDUCATION GRANT					
20 CURRENT EXPENSES				100	
40 INDIRECT COSTS				7	
50 GRANTS TO SCHOOLS				326,571	
32 STAFF DEVELOPMENT				38,000	
TOTAL					371,671
ESTIMATED SOURCE OF FUNDS FOR					
VOC EDUCATION GRANT					
01 OTHER AGENCY FUNDS				371,671	
TOTAL				371,671	
TOTAL				1,477,499	1,560,213
ESTIMATED SOURCE OF FUNDS FOR					
OFFICE OF THE COMMISSIONER					
GENERAL FUND				1,089,166	1,171,880
OTHER FUNDS				388,333	388,333
TOTAL				1,477,499	1,560,213
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
02 VOC-TECH COLLEGE FINANCIAL DIVISION					
01 TECHNICAL EDUCATION DIVISION					
10 PERSONAL SERVICES - PERMANENT				2,146,395	2,168,628
11 PERSONAL SERVICES - TEMPORARY				48,494	48,494
20 PERSONAL EXPENSES				229,035	231,076
21 RENTALS				5,530	5,530
22 RENTS & LEASES TO NON-STATE				130,000	130,000
23 HEAT, ELECTRICITY & WATER				10,000	10,000
24 MAINT. OTHER THAN BLDGGRNDS					

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
02 VOC-TECH COLLEGE MANCHESTER					
01 TECHNICAL EDUCATION DIVISION					
I (CONT 1)					
I (CONT 1)					
I (CONT 1)					
E					
30 EQUIPMENT		25,000		25,000	
40 INDIRECT COSTS		36,627		36,627	
46 CONSULTANTS		500		500	
48 PERSONAL SERVICES - OTHER		1,230		1,230	
50 PERSONAL SERVICES - OTHER		100		100	
60 BENEFITS		53,258		53,258	
70 IN-STATE TRAVEL		508,876		508,876	
		4,000		4,000	
TOTAL		3,198,945		3,253,408	
ESTIMATED SOURCE OF FUNDS FOR					
TECHNICAL EDUCATION DIVISION					
08 AGENCY INCOME		500		500	
09 AGENCY INCOME		789,861		870,062	
90 STUDENT BUILDING PROJECT		2,408,584		2,382,856	
TOTAL		3,198,945		3,253,408	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
02 VOC-TECH COLLEGE MANCHESTER					
02 BLOG-PROJECT REV ACCOUNT					
90 STUDENT BUILDING PROJECT					
TOTAL		97,000		97,000	
ESTIMATED SOURCE OF FUNDS FOR					
BLOG-PROJECT REV ACCOUNT					
09 AGENCY INCOME		97,000		97,000	
TOTAL		97,000		97,000	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
02 VOC-TECH COLLEGE MANCHESTER					
03 VOCATIONAL TRAINING DIVISION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT LEAVES TO NON-STATE		129,356		141,460	
24 MAINT OTHER THAN BLOG&GRNDS		79,170		79,170	
30 EQUIPMENT		1,500		1,500	
40 INDIRECT COSTS		500		500	
46 CONSULTANTS		2,000		2,000	
50 PERSONAL SERVICES - OTHER		36,981		36,981	
60 BENEFITS		396,390		396,390	
70 IN-STATE TRAVEL		62,353		62,353	
80 OUT-OF-STATE TRAVEL		500		500	
		2,000		2,000	

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06 EDUCATION					
01 DEPT OF POST SEC VOC TECH EDUC					
02 VOC TECH COLLEGE MANCHESTER					
03 VOCATIONAL TRAINING DIVISION					
90 EDUCATIONAL TRAINING					
91 ADVERTISING					
TOTAL		1,000		1,000	
ESTIMATED SOURCE OF FUNDS FOR		75,000		75,000	
VOCATIONAL TRAINING DIVISION			798,940		803,275
OPERANCY INCOME					
TOTAL			798,940		803,275
			798,940		803,275
06 EDUCATION					
01 DEPT OF POST SEC VOC TECH EDUC					
02 VOC TECH COLLEGE MANCHESTER					
04 FELL BASIC GRANT					
20 CURRENT EXPENSES					
21 AUDIT FUND SET ASIDE					
TOTAL		500		500	
ESTIMATED SOURCE OF FUNDS FOR		126		126	
FELL BASIC GRANT		125,000		125,000	
00 FEDERAL FUNDS			125,626		125,626
TOTAL			125,626		125,626
			125,626		125,626
06 EDUCATION					
01 DEPT OF POST SEC VOC TECH EDUC					
02 VOC TECH COLLEGE MANCHESTER					
05 SUPPLEMENTAL EDUCATIONAL OPPOR					
20 CURRENT EXPENSES					
21 AUDIT FUND SET ASIDE					
TOTAL		500		500	
ESTIMATED SOURCE OF FUNDS FOR		10		10	
SUPPLEMENTAL EDUCATIONAL OPPOR		9,900		9,900	
00 FEDERAL FUNDS			10,410		10,410
GENERAL FUND					
TOTAL			10,410		10,410
			10,410		10,410
			9,915		9,920
			495		500
			10,410		10,410

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
02 VOC-TECH COLLEGE MANCHESTER					
06 COLLEGE WORK STUDY					
20 CURRENT EXPENSES					
41 AUDIT FUND SET ASIDE					
45 PERSONNEL SVCS-NON BENEFIT					
D					
				1,250	1,250
				19	19
				25,000	25,000
TOTAL				26,271	26,269
ESTIMATED SOURCE OF FUNDS FOR					
COLLEGE WORK STUDY					
00 FEDERAL FUNDS					
				20,021	18,769
GENERAL FUND				6,250	7,500
TOTAL				26,271	26,269
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
02 VOC-TECH COLLEGE MANCHESTER					
07 NDSL CAPITAL CONTRIBUTIONS					
D					
				23	23
41 AUDIT FUND SET ASIDE				25,000	25,000
50 NATL DIRECT STUDENT LOANS				1,800	1,800
95 BILLING SERVICE					
TOTAL				26,823	26,823
ESTIMATED SOURCE OF FUNDS FOR					
NDSL CAPITAL CONTRIBUTIONS					
00 FEDERAL FUNDS					
				22,523	22,523
GENERAL FUND				4,300	4,300
TOTAL				26,823	26,823
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
02 VOC-TECH COLLEGE MANCHESTER					
08 NDSL REVOLVING					
D					
				381	381
20 CURRENT EXPENSES				1,820	1,820
30 COLLEGE MANCHESTER				44,050	44,050
30 LOANS TO STUDENTS					
TOTAL				46,251	46,251
ESTIMATED SOURCE OF FUNDS FOR					
NDSL REVOLVING					
09 AGENCY INCOME					
TOTAL				46,251	46,251
TOTAL				4,330,266	4,389,062
ESTIMATED SOURCE OF FUNDS FOR					
VOC-TECH COLLEGE MANCHESTER					

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06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 02 VOC-TECH COLLEGE HANCRESTER
 (CONT)
 (CONT)
 (CONT)

FEDERAL FUNDS	176,086	176,086
STATE FUNDS	2,418,246	2,392,246
OTHER FUNDS	1,732,552	1,812,078
TOTAL	4,330,266	4,389,062

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 03 VOC-TECH COLLEGE STRATHAM
 01 TECHNICAL EDUCATION DIVISION

10 PERSONAL SERVICES - PERMANENT	1,304,807	1,316,901
11 PRESTIDENT VOC-TECH COLLEGE	48,894	48,894
20 CURRENT EXPENSES	123,500	123,500
23 HEAT, ELECTRICITY & WATER	10,000	10,000
30 EQUIPMENT	50,071	50,071
40 INDIRECT COSTS	22,730	24,298
46 CONSULTANTS	57,100	57,100
50 PERSONAL SERVICES - OTHER	316,564	332,564
60 TRAVEL	4,500	4,500
70 IN-STATE TRAVEL		
TOTAL	2,009,864	2,036,763

ESTIMATED SOURCE OF FUNDS FOR		
06 EDUCATION DIVISION		590
08 AGENCY INCOME	582	481,150
09 AGENCY INCOME	1,558,300	1,554,823
GENERAL FUND	2,009,864	2,036,563
TOTAL		

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 03 VOC-TECH COLLEGE STRATHAM
 02 VOCATIONAL TRAINING DIVISION

10 PERSONAL SERVICES - PERMANENT	159,962	162,213
20 CURRENT EXPENSES	56,410	55,410
24 MAINT. OTHER THAN BLDGGRNDS	52,000	52,000
30 EQUIPMENT	31,056	30,597
40 INDIRECT COSTS	31,056	31,056
46 CONSULTANTS	300,762	300,762
50 PERSONAL SERVICES - OTHER	59,799	61,839
60 BENEFITS	4,000	4,000
70 IN-STATE TRAVEL	3,500	3,500
80 OUT-OF-STATE TRAVEL		

	HE 0200	PAGE	361	05/04/89		FISCAL YEAR 1990	FISCAL YEAR 1991
06 EDUCATION							
04 DEPT OF POST SEC VOC TECH EDUC							
03 VOC-TECH COLLEGE STRATHAM							
02 VOCATIONAL TRAINING DIVISION							
90 EDUCATIONAL TRAINING							
91 ADVERTISING						5,000	20,000
TOTAL						701,850	701,982
ESTIMATED SOURCE OF FUNDS FOR							
VOCATIONAL TRAINING DIVISION						701,850	701,982
07 AGENCY INCOME						701,850	701,982
TOTAL							
06 EDUCATION							
04 DEPT OF POST SEC VOC TECH EDUC							
03 VOC-TECH COLLEGE STRATHAM							
03 PELL BASIC GRANT							
20 CURRENT EXPENSES							
41 AUDIT FUND SET ASIDE						200	200
90 BASIC EDUC OPPORTUNITY GRANT						68,945	68,945
TOTAL						69,215	69,215
ESTIMATED SOURCE OF FUNDS FOR							
PELL BASIC GRANT						69,215	69,215
00 FEDERAL FUNDS						69,215	69,215
TOTAL							
06 EDUCATION							
04 DEPT OF POST SEC VOC TECH EDUC							
03 VOC-TECH COLLEGE STRATHAM							
04 SUPPLEMENTAL EDUCATIONAL OPPOR							
20 CURRENT EXPENSES							
41 AUDIT FUND SET ASIDE						200	9
90 SEOS GRANTS TO STUDENTS						9,500	9,709
TOTAL						9,710	9,709
ESTIMATED SOURCE OF FUNDS FOR							
SUPPLEMENTAL EDUCATIONAL OPPOR						9,235	8,789
GENERAL FUNDS						475	475
TOTAL						9,710	9,709

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
03 VOC-TECH COLLEGE STRATHAM					
05 COLLEGE WORK STUDY					
20 CURRENT EXPENSES					
41 AUDIT FUND SET ASIDE	D	250		250	
45 PERSONNEL SVCS-NON-BENEFIT		15,000		15,000	
TOTAL		15,250		15,250	
ESTIMATED SOURCE OF FUNDS FOR					
00 COLLEGE WORK STUDY					
00 FEDERAL FUNDS		11,512		10,751	
00 GENERAL FUND		3,738		4,500	
TOTAL		15,250		15,251	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
03 VOC-TECH COLLEGE STRATHAM					
06 NSL CAPITAL CONTRIBUTIONS					
41 AUDIT FUND SET ASIDE	D	15		15	
45 PERSONNEL SVCS-NON-BENEFIT		15,500		15,500	
95 BILLING SERVICE					
TOTAL		18,015		18,515	
ESTIMATED SOURCE OF FUNDS FOR					
00 NSL CAPITAL CONTRIBUTIONS					
00 FEDERAL FUNDS		14,865		14,865	
00 GENERAL FUND		3,150		3,650	
TOTAL		18,015		18,515	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
03 VOC-TECH COLLEGE STRATHAM					
07 NSL REVOLVING					
20 CURRENT EXPENSES		250		250	
30 EQUIPMENT		3,100		3,100	
90 LOANS TO STUDENTS		20,740		20,740	
TOTAL		24,090		24,090	
ESTIMATED SOURCE OF FUNDS FOR					
07 NSL REVOLVING					
09 AGENCY INCOME	I	24,090		24,090	
TOTAL		24,090		24,090	
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR			2,848,006		2,875,335
VOC-TECH COLLEGE STRATHAM					

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06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 DEPT OF POST SEC VOC TECH EDUC
 02 CO-ED FORM

----- FISCAL YEAR 1990 -----

----- FISCAL YEAR 1991 -----

10 PERSONAL SERVICES - PERMANENT
 20 PERSONAL SERVICES - TEMPORARY
 23 HEAT ELECTRICITY & WATER
 30 EQUIPMENT
 40 INDIRECT COSTS
 43 BOND INTEREST PAYMENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 CO-ED FORM
 09 AGENCY INCOME
 TOTAL

57,778
 10,000
 30,000
 10,000
 254,651
 254,013
 10,000
 15,189

380,363
 380,363
 380,363

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 DEPT OF POST SEC VOC TECH EDUC
 03 WOMEN'S FORM

10 PERSONAL SERVICES - PERMANENT
 20 PERSONAL SERVICES - TEMPORARY
 23 HEAT ELECTRICITY & WATER
 30 EQUIPMENT
 40 INDIRECT COSTS
 43 BOND INTEREST PAYMENT
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 WOMEN'S FORM
 09 AGENCY INCOME
 TOTAL

71,789
 7,441
 32,000
 6,700
 6,700
 45,400
 3,000
 16,741

183,889
 183,889
 183,889

FOR THE BIENNIIUM ENDING JUNE 30, 1991, ALL DEBT
 SERVICE CHARGES ON THE BOND ISSUED FOR THE
 WOMEN'S FORMITORY AND ALL MAINTENANCE AND
 REPAIR CHARGES FOR BOTH THE MEN'S AND
 WOMEN'S FORMITORIES SHALL BE PAID FROM THE FUND
 ESTABLISHED BY CHAPTER 183, LAWS OF 1974

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----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

01 EDUCATION
02 DEPT OF POST SEC VOC TECH EDUC
03 TECHNICAL INSTITUTE
04 MEN'S CTR

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
21 HEAT/ELECTRICITY & WATER
30 INDIRECT COSTS
40 INQUIRY COSTS
50 GUN FORCES MAINT-BLDGSPADS
60 PERSONAL SERVICES - OTHER
70 BENEFITS
TOTAL
ESTIMATED SOURCE OF FUNDS FOR
01 DEPT OF POST SEC VOC TECH EDUC
03 TECHNICAL INSTITUTE
04 MEN'S CTR
GENERAL FUND
TOTAL

48,363
6,441
34,000
5,494
2,000
2,000
11,986
110,558
62,690
50,000
112,690

01 EDUCATION
02 DEPT OF POST SEC VOC TECH EDUC
03 TECHNICAL INSTITUTE
04 MEN'S CTR
GENERAL FUND
TOTAL

20 CURRENT EXPENSES

2,000
2,000
2,000
2,000

01 EDUCATION
02 DEPT OF POST SEC VOC TECH EDUC
03 TECHNICAL INSTITUTE
04 MEN'S CTR

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
30 INDIRECT COSTS
40 INQUIRY COSTS
50 GUN FORCES MAINT-BLDGSPADS
60 PERSONAL SERVICES - OTHER
70 BENEFITS
TOTAL
ESTIMATED SOURCE OF FUNDS FOR
01 DEPT OF POST SEC VOC TECH EDUC
03 TECHNICAL INSTITUTE
04 MEN'S CTR
GENERAL FUND
TOTAL

62,440
5,000
4,203
14,986
86,629
62,690
50,000
112,690

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06 EDUCATION
04 DEPT OF POST SEC VOC TECH EDUC
04 N H TECHNICAL INSTITUTE
06 ANNUAL REPORTING FEE
----- FISCAL YEAR '90 ----- FISCAL YEAR '92 -----
20 CURRENT EXPENSES 500 500
41 ADULT FUND SET ASIDE
TOTAL 501 501
ESTIMATED SOURCE OF FUNDS FOR
ANNUAL REPORTING FEE
00 FEDERAL FUNDS 501 501
TOTAL 501 501

06 EDUCATION
04 DEPT OF POST SEC VOC TECH EDUC
04 N H TECHNICAL INSTITUTE
10 VOCATIONAL TRAINING DIVISION
10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES 175,011
20 EQUIPMENT EXPENSES 106,755
20 INDIRECT COSTS 2,000
20 PERSONAL SERVICES - OTHER 43,775
50 PERSONAL SERVICES - OTHER 43,775
60 BENEFITS 435,450
80 OUT-OF-STATE TRAVEL 74,029
91 ADVERTISING 2,037
TOTAL 49,470
ESTIMATED SOURCE OF FUNDS FOR
VOCATIONAL TRAINING DIVISION
07 AGENCY INCOME 903,832
TOTAL 903,832 903,832

06 EDUCATION
04 DEPT OF POST SEC VOC TECH EDUC
04 N H TECHNICAL INSTITUTE
11 FELL BASIC GRANT
20 CURRENT EXPENSES 1,000
41 ADULT FUND SET ASIDE 242
40 BASIC EDUC OPPORTUNITY GRANT 440,000
TOTAL 441,242
ESTIMATED SOURCE OF FUNDS FOR
FELL BASIC GRANT
00 FEDERAL FUNDS 441,242
TOTAL 441,242 441,242

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06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 04 N H TECHNICAL INSTITUTE
 12 SUPPLEMENTAL EDUCATIONAL OPPOR

20 CURRENT EXPENSES			
41 AUDIT FUND SET ASIDE	0	1,150	1,150
90 SEGS GRANTS TO STUDENTS		24	24
TOTAL		23,000	23,000
ESTIMATED SOURCE OF FUNDS FOR		24,174	24,172
SUPPLEMENTAL EDUCATIONAL OPPOR			
00 FEDERAL FUNDS		23,024	21,872
00 GENERAL FUND		1,150	2,300
TOTAL		24,174	24,172

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 04 N H TECHNICAL INSTITUTE
 13 COLLEGE ADP STUDY

20 CURRENT EXPENSES			
41 AUDIT FUND SET ASIDE	0	1,750	1,750
45 PERSONNEL SVCS-NON BENEFIT		29	27
TOTAL		35,000	35,000
ESTIMATED SOURCE OF FUNDS FOR		36,779	36,777
COLLEGE ADP STUDY			
00 FEDERAL FUNDS		28,029	26,200
00 GENERAL FUND		8,750	10,500
TOTAL		36,779	36,777

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 04 N H TECHNICAL INSTITUTE
 14 NSL CAPITAL CONTRIBUTIONS

41 AUDIT FUND SET ASIDE	0	28	28
90 NATL DIRECT STUDENT LOANS		30,000	30,000
95 BILLING SERVICE		3,375	3,375
TOTAL		33,403	33,403
ESTIMATED SOURCE OF FUNDS FOR			
NSL CAPITAL CONTRIBUTIONS		27,028	27,028
00 FEDERAL FUNDS		6,375	6,375
00 GENERAL FUND		33,403	33,403
TOTAL			

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

HB 0200	Page	05/01/89	----- FISCAL YEAR 1990 -----	----- FISCAL YEAR 1991 -----
06 EDUCATION				
04 DEPT OF POST SEC VOC TECH EDUC				
04 H TECHNICAL INSTITUTE				
1A STATE SCHOLARSHIP				
90 STATE SCHOLARSHIP				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR				
STATE SCHOLARSHIP				
GENERAL FUND				
TOTAL				
		4 838	4 838	4 838
06 EDUCATION				
04 DEPT OF POST SEC VOC TECH EDUC				
04 H TECHNICAL INSTITUTE				
1B NSDL REVOLVING				
20 CURRENT EXPENSES				
90 LOANS TO STUDENTS				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR				
NSDL REVOLVING				
03 AGENCY INCOME				
TOTAL				
		1 000	1 000	1 000
		82 600	82 600	82 600
06 EDUCATION				
04 DEPT OF POST SEC VOC TECH EDUC				
04 H TECHNICAL INSTITUTE				
17 BOARD				
21 FOOD INSTITUTIONS				
TOTAL				
ESTIMATED SOURCE OF FUNDS FOR				
BOARD				
05 PRIVATE LOCAL FUNDS				
TOTAL				
		420 000	420 000	420 000
		420 000	420 000	420 000

AUTHORITY IS HEREBY GRANTED FOR THE NEW HAMPSHIRE TECHNICAL INSTITUTE TO CONTRACT AFTER COMPETITIVE BIDDING FOR THE INSTITUTE'S ENTIRE FOOD SERVICE OPERATION WITH A QUALIFIED FOOD SERVICE CATERER. THE INSTITUTE IS HEREBY AUTHORIZED TO SPEND FOR THIS PURPOSES FROM THE CURRENT FUND ESTIMATES AND TO CONTRACT WITH THE INSTITUTE FOR MEALS. AMOUNTS

----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----

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06 EDUCATION POST SEC VOC TECH EDUC (CONT.)
04 DEPT OF POST SEC VOC TECH EDUC (CONT.)
01 TECHNICAL INSTITUTE (CONT.)
17 BOARD

SUFFICIENT TO COVER THE MEALS FURNISHED TO
THE STUDENTS BY THE CATERING SERVICE

TOTAL	9,565,115	9,694,160
ESTIMATED SOURCE OF FUNDS FOR		
NH TECHNICAL INSTITUTE	519,824	516,920
FEDERAL FUNDS	5,033,677	5,033,677
GENERAL FUND	3,988,635	4,143,563
OTHER FUNDS	9,565,115	9,694,160
TOTAL		

06 EDUCATION
04 DEPT OF POST SEC VOC TECH EDUC
01 TECHNICAL INSTITUTE
01 TECHNICAL EDUCATION DIVISION

10 PERSONAL SERVICES - PERMANENT	1,449,384	1,467,194
20 CURRENT EXPENSES	148,694	148,694
21 FOOD INSTITUTIONS	147,532	146,532
22 RENTS & LEASES TO NON-STATE	35,000	35,000
23 HEAT, ELECTRICITY & WATER	60,000	60,000
24 EQUIPMENT	25,000	25,000
25 INDIRECT COSTS	21,604	21,000
46 CONSULTANTS	2,600	2,600
47 OWN FORCES MAINT-BUDGETS	21,542	28,071
50 PERSONAL SERVICES - OTHER	52,531	52,531
60 BENEFITS	348,577	367,500
70 IN-STATE TRAVEL	12,000	12,000
91 ADVERTISEMENT		
TOTAL	2,236,764	2,280,905

ESTIMATED SOURCE OF FUNDS FOR		
TECHNICAL EDUCATION DIVISION	35,000	35,000
06 AGENCY INCOME	1,000	1,000
07 AGENCY INCOME	483,129	483,129
08 AGENCY INCOME	1,757,622	1,757,622
09 AGENCY INCOME	2,236,764	2,280,905
GENERAL FUND		
TOTAL		

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 06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 VOC-TECH COLLEGE BERLIN
 02 VOCATIONAL TRAINING DIVISION
 20 CURRENT EXPENSES 28,260
 30 RENT & LEASES TO NON-STATE 2,640
 30 EQUIPMENT COSTS 2,100
 40 INDIRECT COSTS 7,629
 46 CONSULTANTS 98,000
 50 BENEFITS 7,568
 60 SERVICES - OTHER 1,600
 70 IN-STATE TRAVEL 1,900
 80 OUT-OF-STATE TRAVEL 1,166
 90 STAFF DEVELOPMENT 9,475
 91 ADVERTISING
 TOTAL 159,367
 ESTIMATED SOURCE OF FUNDS FOR
 VOCATIONAL TRAINING DIVISION
 00 AGENCY INCOME 159,367
 TOTAL 159,367
 06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 VOC-TECH COLLEGE BERLIN
 03 FELL BASIC GRANT
 20 CURRENT EXPENSES 484
 30 RENT & LEASES TO NON-STATE 150
 40 INDIRECT COSTS 173
 46 CONSULTANTS 172,000
 50 BENEFITS
 60 SERVICES - OTHER
 70 IN-STATE TRAVEL
 80 OUT-OF-STATE TRAVEL
 90 STAFF DEVELOPMENT
 91 ADVERTISING
 TOTAL 172,757
 ESTIMATED SOURCE OF FUNDS FOR
 FELL BASIC GRANT
 00 FEDERAL FUNDS 172,757
 TOTAL 172,757
 06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 VOC-TECH COLLEGE BERLIN
 04 SUPPLEMENTAL EDUCATIONAL OPPOR
 20 CURRENT EXPENSES 750
 41 AUDIT FUND SET ASIDE 15
 90 SEOGS GRANTS TO STUDENTS 14,980
 TOTAL 15,745
 ESTIMATED SOURCE OF FUNDS FOR
 SUPPLEMENTAL EDUCATIONAL OPPOR

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 ----- FISCAL YEAR 1990 ----- FISCAL YEAR 1991 -----
 06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 VOC TECH COLLEGE BERLIN
 07 NDSL REVOLVING
 20 CURRENT EXPENSES
 30 EQUIPMENT
 44 DEPT SERVICE OTHER AG'S
 90 LOANS TO STUDENTS
 400
 100
 100
 500
 43,253
 44,253
 44,253
 44,253
 44,253
 44,253
 06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 VOC TECH COLLEGE BERLIN
 08 RESIDENT SPECIALIST PROGRAM
 10 PERSONAL SERVICES - PERMANENT
 22 RENTALS & LEASES
 22 RENTALS & LEASES TO NON-STATE
 30 EQUIPMENT
 40 INDIRECT COSTS
 46 CONSULTANTS
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 85,600
 8,189
 1,100
 1,100
 100
 6,816
 2,000
 14,045
 22,084
 141,743
 141,743
 141,743
 06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 05 VOC TECH COLLEGE BERLIN
 09 DAY CARE CENTER
 20 CURRENT EXPENSES
 22 RENTALS & LEASES TO NON-STATE
 24 MAINT OTHER THAN BLDGGRNDS
 30 EQUIPMENT
 40 INDIRECT COSTS
 46 CONSULTANTS
 50 PERSONAL SERVICES - OTHER
 70 IN-STATE TRAVEL
 20,819
 500
 500
 3,000
 3,000
 65,000
 4,973
 500
 99,999
 99,999

		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
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05 EDUCATION					
05 DEPT OF POST SEC VOC TECH EDUC					
05 VOC-TECH COLLEGE BERLIN					
05 25A CAPE CENTER					
(CONT)					
(CONT)					
(CONT)					
ESTIMATED SOURCE OF FUNDS FOR					
DEPT OF POST SEC VOC TECH EDUC					
05 PRIVATE LOCAL FUNDS					
TOTAL					
		99 999		99 999	
		99 999		99 999	
06 EDUCATION					
06 DEPT OF POST SEC VOC TECH EDUC					
06 VOC-TECH COLLEGE BERLIN					
06 INFORMED CAREER CHOICES					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
40 INDIRECT COSTS					
50 BENEFITS					
70 IN-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
INFORMED CAREER CHOICES					
06 VOC-TECH COLLEGE BERLIN					
TOTAL					
		62 631		64 137	
		62 631		64 137	
		62 631		64 137	
06 EDUCATION					
06 DEPT OF POST SEC VOC TECH EDUC					
06 VOC-TECH COLLEGE BERLIN					
11 PERSONNEL DEVELOPMENT					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES					
40 INDIRECT COSTS					
45 PERSONNEL SVCS-NON BENEFIT					
60 BENEFITS					
70 IN-STATE TRAVEL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
PERSONNEL DEVELOPMENT					
06 VOC-TECH COLLEGE BERLIN					
TOTAL					
		56 337		57 193	
		56 337		57 193	
		56 337		57 193	

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04 EDUCATION
04 DEPT OF POST SEC VOC TECH EDUC
05 VOR-TECH COLLEGE BERLIN
12 TRUCK DRIVER TRAINING

10 PERSONAL SERVICES - PERMANENT	61,972	54,624	
20 CURRENT EXPENSES	22,000	22,000	
30 INDIRECT COSTS	5,211	5,413	
40 BENEFITS	14,264	15,510	
50 IN-STATE TRAVEL	4,000	4,000	
TOTAL	107,437	111,547	

ESTIMATED SOURCE OF FUNDS FOR
TRUCK DRIVER TRAINING

09 AGENCY INCOME	1	111,547	
TOTAL	107,437	111,547	

04 EDUCATION
04 DEPT OF POST SEC VOC TECH EDUC
05 VOR-TECH COLLEGE BERLIN
13 TWITCHELL PROPERTY

10 PERSONAL SERVICES - PERMANENT	13,249	13,249	
20 CURRENT EXPENSES	3,000	3,000	
30 INDIRECT COSTS	834	834	
40 CONTRACTUAL MAINT-BLDG&GRND	1,000	1,000	
50 BENEFITS	3,059	3,318	
TOTAL	23,692	24,518	

ESTIMATED SOURCE OF FUNDS FOR
TWITCHELL PROPERTY

09 AGENCY INCOME	1	24,518	
TOTAL	23,692	24,518	

* INCOME FROM THE TWITCHELL PROPERTY SHALL BE USED TO MAINTAIN, REPAIR AND IMPROVE THE BUILDINGS AND GROUNDS, INCLUDING ADDITIONS TO THE BUILDINGS AND GROUNDS. THE INCOME FROM THE TWITCHELL PROPERTY PROGRAM AND SHALL NOT BE TRANSFERRED TO ANY OTHER STATE FUND.

TOTAL

TOTAL	3,160,593	3,211,134	
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ESTIMATED SOURCE OF FUNDS FOR
VOR-TECH COLLEGE BERLIN

FEDERAL FUNDS	220,244	219,643	
OTHER FUNDS	1,906,901	1,913,477	
TOTAL	1,033,402	1,083,402	

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
05 VOC-TECH COLLEGE BERLIN					
TOTAL					
		3,160,553		3,217,134	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
05 VOC-TECH COLLEGE LACONIA					
01 TECHNICAL EDUCATION DIVISION					
		1,054,120		1,061,618	
10 PERSONAL SERVICES - PERMANENT				48,095	
11 PRESIDENT VOC-TECH COLLEGE		47,698		165,000	
20 CURRENT EXPENSES		165,000		53,800	
22 RENTS & LEASES TO NON-STATE		53,800		11,000	
24 MAINT OTHER THAN BLDG&GRNDS		11,000		42,600	
30 EQUIPMENT		42,600		17,409	
40 INDIRECT COSTS		16,194		4,500	
46 CONSULTANTS		4,500		72,000	
50 PERSONAL MAINT-BLDG&GRNDS		72,000		271,839	
60 BENEFITS		258,927		5,000	
70 IN-STATE TRAVEL		5,000			
TOTAL		1,731,639		1,753,661	
ESTIMATED SOURCE OF FUNDS FOR					
TECHNICAL EDUCATION DIVISION					
08 AGENCY INCOME		1,341		1,341	
09 AGENCY INCOME		379,341		442,879	
GENERAL FUND		1,350,947		1,309,441	
TOTAL		1,731,639		1,753,661	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
05 VOC-TECH COLLEGE BERLIN					
02 VOCATIONAL TRAINING DIVISION					
		76,540		3,400	
20 CURRENT EXPENSES		76,540		3,400	
22 RENTS & LEASES TO NON-STATE		3,400		1,227	
24 MAINT OTHER THAN BLDG&GRNDS		1,227		33,000	
30 EQUIPMENT		33,000		20,000	
40 INDIRECT COSTS		20,000		38,275	
50 PERSONAL SERVICES - OTHER		38,275		28,275	
60 BENEFITS		28,275		3,400	
70 IN-STATE TRAVEL		3,400		34,000	
91 ADVERTISING		34,000			
TOTAL		569,451		569,451	

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC	(CONT)				
06 VOC TECH COLLEGE LACONIA	(CONT)				
02 VOCATIONAL TRAINING DIVISION	(CONT)				
ESTIMATED SOURCE OF FUNDS FOR					
VOCATIONAL TRAINING DIVISION					
07 AGENCY INCOME	1	569,451	569,451	569,451	569,451
TOTAL					
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
06 VOC TECH COLLEGE LACONIA					
03 PELL BASIC GRANT					
20 CURRENT EXPENSES		252		252	
41 AUDIT FUND SET ASIDE		65		65	
90 BASIC EDUC OPPORTUNITY GRANT	0	64,613		64,613	
TOTAL			64,930	64,930	64,930
ESTIMATED SOURCE OF FUNDS FOR					
PELL BASIC GRANT					
00 FEDERAL FUNDS			64,930	64,930	64,930
TOTAL					
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
06 VOC TECH COLLEGE LACONIA					
04 SUPPLEMENTAL EDUCATIONAL OPPOR					
20 CURRENT EXPENSES		746		746	
41 AUDIT FUND SET ASIDE		15		15	
90 SEGS GRANTS TO STUDENTS	0	14,920		15,730	
TOTAL			15,681	16,531	16,531
ESTIMATED SOURCE OF FUNDS FOR					
SUPPLEMENTAL EDUCATIONAL OPPOR					
00 FEDERAL FUNDS			14,935	14,935	14,935
TOTAL			15,681	16,531	16,531
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
06 VOC TECH COLLEGE LACONIA					
05 COLLEGE WORK STUDY					
20 CURRENT EXPENSES		430		430	
41 AUDIT FUND SET ASIDE		100		100	
45 PERSONNEL SVCS-NON BENEFIT	0	8		9,620	

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
06 VOC TECH COLLEGE LACONIA					
05 COLLEGE STUDY					
(CONT.)					
(CONT.)					
(CONT.)					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
COLLEGE STUDY					
00 FEDERAL FUNDS					
GENERAL FUND					
TOTAL					
10,158					
10,156					
7,272					
2,886					
10,156					
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
06 VOL TECH COLLEGE LACONIA					
06 NDSL CAPITAL CONTRIBUTIONS					
0					
41 AUDIT FUND SET ASIDE					
90 NATL DIRECT STUDENT LOAN					
95 BILLING SERVICE					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
NDSL CAPITAL CONTRIBUTIONS					
00 FEDERAL FUNDS					
GENERAL FUND					
TOTAL					
15,580					
15,580					
4,853					
20,417					
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
06 VOL TECH COLLEGE LACONIA					
07 NDSL REVOLVING					
20 CURRENT EXPENSES					
20 CURRENT EXPENSES					
90 LOANS TO STUDENTS					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
NDSL CAPITAL CONTRIBUTIONS					
09 AGENCY INCOME					
TOTAL					
847					
210					
21,137					
22,194					
22,194					
22,194					
22,194					

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 06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 07 VOC-TECH COLLEGE CLAREMONT
 01 TECHNICAL EDUCATION DIVISION
 08 SALE OF TIMBER & CORPWOOD

47 OWN FORCES MAINT-BLDG&GRNDS
 TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 SALE OF TIMBER & CORPWOOD
 09 AGENCY INCOME
 TOTAL

6 2 300 2 300
 2 300 2 300
 2 300 2 300

TOTAL
 ESTIMATED SOURCE OF FUNDS FOR
 VOC-TECH COLLEGE CLAREMONT
 07 VOC-TECH COLLEGE CLAREMONT
 01 TECHNICAL EDUCATION DIVISION
 08 SALE OF TIMBER & CORPWOOD
 09 AGENCY INCOME
 TOTAL

2 437,971 2 437,971
 101,169 101,169
 1,320,008 1,320,008
 1,036,165 1,036,165
 2 459,642 2 459,642

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 07 VOC-TECH COLLEGE CLAREMONT
 01 TECHNICAL EDUCATION DIVISION

10 PERSONAL SERVICES - PERMANENT
 11 PRESIDENT VOC-TECH COLLEGE
 20 DEPT OF POST SEC VOC TECH EDUC
 21 PRESIDENT VOC-TECH COLLEGE
 22 DEPT OF POST SEC VOC TECH EDUC
 23 HEAT ELECTRICITY & WATER
 24 MAINT OTHER THAN BLDG&GRNDS
 30 EQUIPMENT
 40 EQUIPMENT
 41 EQUIPMENT
 42 EQUIPMENT
 43 EQUIPMENT
 44 EQUIPMENT
 45 EQUIPMENT
 46 EQUIPMENT
 47 OWN FORCES MAINT-BLDG&GRNDS
 48 CONTRACTUAL MAINT-BLDG&GRND
 50 PERSONAL SERVICES - OTHER
 60 BENEFITS
 70 IN STATE TRAVEL

1,515,918
 49,594
 115,500
 115,500
 58,000
 10,000
 19,536
 4,000
 1,500
 9,000
 65,000
 387,000
 387,000

2,221,526 2,221,526
 4,000 4,000
 413,615 413,615
 1,803,911 1,803,911
 2 221,526 2 221,526

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
07 VOC-TECH COLLEGE CLAREMONT					
02 VOCATIONAL TRAINING DIVISION					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES			12,509		12,909
30 EQUIPMENT			27,000		45,000
40 INDIRECT COSTS			2,412		1,680
50 PERSONAL SERVICES - OTHER			9,588		11,000
60 BENEFITS			12,500		144,000
70 OUT-OF-STATE TRAVEL			12,064		14,114
80 OUT-OF-STATE TRAVEL			3,000		4,000
91 ADVERTISING			661		661
TOTAL			11,000		13,000
03 AGENCY INCOME					
07 AGENCY INCOME			198,264		247,614
TOTAL			198,264		247,614
06 EDUCATION:					
04 DEPT OF POST SEC VOC TECH EDUC					
07 VOC-TECH COLLEGE CLAREMONT					
03 PELL BASIC GRANT					
20 CURRENT EXPENSES					
41 AUDIT FUND SET ASIDE			403		402
90 BASIC EDUC OPPORTUNITY GRANT			96,000		97,000
TOTAL			96,500		97,500
ESTIMATED SOURCE OF FUNDS FOR					
PELL BASIC GRANT			96,500		97,500
00 FEDERAL FUNDS			96,500		97,500
TOTAL			96,500		97,500
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
07 VOC-TECH COLLEGE CLAREMONT					
04 SUPPLEMENTAL EDUCATIONAL OPPOR					
20 CURRENT EXPENSES					
41 AUDIT FUND SET ASIDE			294		294
90 SECS GRANTS TO STUDENTS			6,300		6,300
TOTAL			6,601		6,600
ESTIMATED SOURCE OF FUNDS FOR					
SUPPLEMENTAL EDUCATIONAL OPPOR			6,286		5,970
00 FEDERAL FUNDS			6,286		5,970
TOTAL			6,601		6,600

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06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 07 VOC-TECH COLLEGE CLAREMONT
 05 COLLEGE WORK STUDY

20 CURRENT EXPENSES			
41 AUDIT FUND SET ASIDE	489		389
45 PERSONNEL SVCS-NON BENEFIT	13 240		10
TOTAL			13 250
ESTIMATED SOURCE OF FUNDS FOR		13 740	13 649
COLLEGE WORK STUDY			
00 FEDERAL FUNDS		10 400	9 674
GENERAL FUND		3 340	3 975
TOTAL		13 740	13 649

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 07 VOC-TECH COLLEGE CLAREMONT
 06 NDSL CAPITAL CONTRIBUTIONS

41 AUDIT FUND SET ASIDE			
90 NATL DIRECT STUDENT LOANS	14 14		13
95 BILLING SERVICE	14 489		13 240
TOTAL			13 250
ESTIMATED SOURCE OF FUNDS FOR		16 991	15 750
NDSL CAPITAL CONTRIBUTIONS			
00 FEDERAL FUNDS		13 496	9 674
GENERAL FUND		3 495	6 076
TOTAL		16 991	15 750

06 EDUCATION
 04 DEPT OF POST SEC VOC TECH EDUC
 07 VOC-TECH COLLEGE CLAREMONT
 07 NDSL REVOLVING

20 CURRENT EXPENSES			
50 PERSONNEL	400		450
50 PERSONAL SERVICES - OTHER	100		100
60 BENEFITS	250		300
90 LOANS TO STUDENTS	34 222		23
TOTAL			34 459
ESTIMATED SOURCE OF FUNDS FOR		35 191	35 512
NDSL REVOLVING			
09 AGENCY INCOME		35 191	35 512
TOTAL		35 191	35 512

----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
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05 EDUCATION			
04 DEPT OF POST SEC VOC TECH EDUC			
07 VOC-TECH COLLEGE CLAREMONT			
08 DA- CARE CENTER			
10 PERSONAL SERVICES - PERMANENT			
20 CURRENT EXPENSES	49,185	83,071	82,396
30 EQUIPMENT	1,700		
40 INDEMNITY COSTS	1,600		
50 RECREATION	3,009		
60 BENEFITS	13,150		
70 IN-STATE TRAVEL	12,395		
TOTAL	50,357		
ESTIMATED SOURCE OF FUNDS FOR			
04 DAY CARE CENTER			
07 AGENCY INCOME			
GENERAL FUND			
TOTAL	58,847		
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR	2,671,884	2,759,982	
VOC-TECH COLLEGE CLAREMONT	125,712	125,523	
GENERAL FUND	1,835,555	1,834,935	
OTHER FUNDS	709,917	799,524	
TOTAL	2,671,884	2,759,982	
06 EDUCATION			
04 DEPT OF POST SEC VOC TECH EDUC			
08 VOC-TECH COLLEGE WASHUA			
01 TECHNICAL EDUCATION DIVISION			
10 PERSONAL SERVICES - PERMANENT			
11 PRESIDENT VOC-TECH COLLEGE	1,468,269	1,507,310	
20 CURRENT EXPENSES	148,594	148,594	
30 EQUIPMENT	145,244	145,244	
40 INDEMNITY COSTS	15,000	15,000	
50 RECREATION	74,627	74,627	
60 BENEFITS	62,027	62,027	
70 IN-STATE TRAVEL	45,000	45,000	
TOTAL	197,500	197,500	
ESTIMATED SOURCE OF FUNDS FOR			
04 CONTRACT MAINT-BLDGGRND	12,500	12,500	
48 CONTRACT MAINT-BLDGGRND	35,228	34,823	
50 PERSONAL SERVICES - OTHER	357,587	376,587	
70 IN-STATE TRAVEL	7,500	7,500	
TOTAL	2,287,308	2,349,802	
ESTIMATED SOURCE OF FUNDS FOR			
TECHNICAL EDUCATION DIVISION			

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EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
01 VOC-TECH COLLEGE NASHUA					
01 TECHNICAL EDUCATION DIVISION					
09 AGENCY INCOME			5,216		45,287
09 AGENCY INCOME			1,439,428		1,439,428
GENERAL FUND			2,087,308		2,087,308
TOTAL					
EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
01 VOC-TECH COLLEGE NASHUA					
02 VOCATIONAL TRAINING DIVISION					
10 PERSONAL SERVICES PERMANENT		195,578			202,193
20 CURRENT EXPENSES		37,031			37,031
22 RENTS & LEASES TO NON-STATE		7,043			7,043
24 TRAINING OTHER THAN BLS/GRADUATS		6,064			6,064
40 INDIRECT COSTS		100			100
46 CONSULTANTS		34,678			35,170
50 PERSONAL SERVICES - OTHER		50,000			50,000
60 BENEFITS TRAVEL		27,751			27,751
80 OUT-OF-STATE TRAVEL		1,000			1,000
91 ADVERTISING		4,291			4,273
TOTAL		15,000			15,000
TOTAL ESTIMATED SOURCE OF FUNDS FOR			710,799		720,957
ESTIMATED TRAINING DIVISION			710,799		720,957
07 AGENCY INCOME			-10,799		-20,957
TOTAL					
EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
01 VOC-TECH COLLEGE NASHUA					
03 PELL BASIC GRANT					
20 CURRENT EXPENSES		200			200
22 RENTS & LEASES TO NON-STATE		70,000			70,000
50 BASIC EDUC OPPORTUNITY GRANT					
TOTAL			70,271		70,271
TOTAL ESTIMATED SOURCE OF FUNDS FOR			70,271		70,271
PELL BASIC GRANT			70,271		70,271
03 PELL BASIC GRANT					
TOTAL					

----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
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06 EDUCATION			
07 VOC-TECH POST SEC VOC-TECH EDUC			
08 VOC-TECH COLLEGE NASHUA			
09 NDSL REVOLVING			
20 CURRENT EXPENSES			
20 LOANS TO STUDENTS			
		1,750	1,750
		20,942	20,942
TOTAL			
ESTIMATED SOURCE OF FUNDS FOR		22,692	22,692
ADDITIONAL INCOME			
09 AGENCY INCOME		22,692	22,692
TOTAL		22,692	22,692
TOTAL		3,136,308	3,136,308
06 EDUCATION			
07 VOC-TECH POST SEC VOC-TECH EDUC			
08 POLICE STNGS & TRAINING CACUL			
09 ADMINISTRATION & STANDARDS			
10 PERSONAL SERVICES			
11 SALARY OF DIRECTOR			
		154,484	157,206
20 CURRENT EXPENSES		37,995	38,195
23 HEAT, ELECTRICITY & WATER		52,000	57,519
29 TRANSFERS TO INFO SERVICES		23,000	23,000
30 PERSONAL SERVICES - OTHER		1,000	1,000
40 INDIRECT COSTS		6,822	7,295
44 DEPT SERVICE (OTHER AGYS)		20,914	20,914
49 TRANS TO OTHER STATE AGYS		177,792	171,259
50 PERSONAL SERVICES - OTHER		4,258	47,258
60 PERSONAL SERVICES - OTHER		4,258	47,258
70 IN-STATE TRAVEL		4,509	47,112
80 OUT-OF-STATE TRAVEL		8,696	8,696
90 FACILITIES DESIGN		275,000	6,000
TOTAL		858,585	858,585
ESTIMATED SOURCE OF FUNDS FOR			
ADMINISTRATION & STANDARDS			

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06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
09 POLICE STNDS & TRAINING CNCL					
01 ADMINISTRATION & STANDARDS					
09 AGENCY INCOME					
TOTAL					
		858,585		581,563	
		858,585		581,569	
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
09 POLICE STNDS & TRAINING CNCL					
02 TRAINING					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	249,616		272,143		
30 EQUIPMENT	36,570		17,465		
40 CONSULTANTS	16,800		17,600		
43 TRANS TO OTHER STATE AGYS	16,800		17,600		
50 PERSONAL SERVICES - OTHER	57,229		65,829		
60 BENEFITS	206,500		133,365		
70 IN-STATE TRAVEL	30,750		750		
80 OUT-OF-STATE TRAVEL	30,000		40,000		
92 SPECIALIZED TRAINING GRANTS					
TOTAL	741,046		750,273		
ESTIMATED SOURCE OF FUNDS FOR					
TRAINING					
09 AGENCY INCOME	741,046		750,273		
TOTAL	741,046		750,273		
06 EDUCATION					
04 DEPT OF POST SEC VOC TECH EDUC					
09 POLICE STNDS & TRAINING CNCL					
03 CORRECTIONS					
10 PERSONAL SERVICES - PERMANENT					
20 CURRENT EXPENSES	44,324		46,891		
30 EQUIPMENT	15,760		15,760		
40 CONSULTANTS	4,460		4,460		
43 TRANS TO OTHER STATE AGYS	1,700		1,700		
50 PERSONAL SERVICES - OTHER	10,584		11,384		
60 BENEFITS	25,975		25,975		
70 IN-STATE TRAVEL	3,000		3,000		
80 OUT-OF-STATE TRAVEL					
TOTAL	105,891		108,870		
ESTIMATED SOURCE OF FUNDS FOR					
CORRECTIONS					
09 AGENCY INCOME	105,891		108,870		
TOTAL	105,891		108,870		
TOTAL					
		1,705,522		1,440,712	

[illegible]

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06 EDUCATION
05 N.H. SWEEPSTAKES COMMISSION
02 BINGO LUCKY

10 PERSONAL SERVICES - PERMANENT
20 CURRENT EXPENSES
22 RENTS & LEASES TO NON-STATE
23 TRANSFERS TO INFO. SERVICES
30 DIRECT COSTS
40 INDIRECT COSTS
49 TRANS TO OTHER STATE AGYS
50 PERSONAL SERVICES - OTHER
50 BENEFITATE TRAVEL
60 OUT-OF-STATE TRAVEL
80 DATA PROCESSING - OTHER
96 RETIREE BENEFITS

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
BINGO LUCKY 7
SWEEPSTAKES FUND
TOTAL

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
N.H. SWEEPSTAKES COMMISSION
SWEEPSTAKES FUND
TOTAL

16 EDUCATION
01 UNH - DURHAM
01 UNH - DURHAM

90 UNH - DURHAM

TOTAL
ESTIMATED SOURCE OF FUNDS FOR
UNH - DURHAM
UNH - DURHAM LOCAL FUNDS
06 AGENCY INCOME
07 AGENCY INCOME
08 AGENCY INCOME
GENERAL FUND
TOTAL

32,962 32,962
7,521 7,521
9,000 9,000
10,000 10,000
1,000 1,000
10,000 10,000
205,054 205,054
8,011 8,011
500 500
500 500
5,000 5,000
2,600 2,600

291,743 291,743
291,743 291,743
291,743 291,743

3,516,310 3,516,310
3,516,310 3,516,310

152,964,000 152,964,000
152,964,000 152,964,000

162,610,000 162,610,000
162,610,000 162,610,000

50,000 50,000
65,026,000 65,026,000
32,239,000 32,239,000
20,542,000 20,542,000
30,198,000 30,198,000
34,727,000 34,727,000
162,610,000 162,610,000

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06 EDUCATION					
06 HIGHER EDUCATION FUND					
02 KEENE STATE COLLEGE					
90 KEENE STATE COLLEGE		29,262,000	30,992,000		
TOTAL				30,992,000	
ESTIMATED SOURCE OF FUNDS FOR					
06 HIGHER EDUCATION FUND					
03 PLYMOUTH STATE COLLEGE					
90 PLYMOUTH STATE COLLEGE		28,988,000	30,459,000		
TOTAL				30,459,000	
ESTIMATED SOURCE OF FUNDS FOR					
PLYMOUTH STATE COLLEGE					
06 AGENCY INCOME		12,263,000	12,263,000		
07 AGENCY INCOME		6,792,000	6,792,000		
08 AGENCY INCOME		7,933,000	7,933,000		
GENERAL FUND		2,000,000	2,000,000		
TOTAL		28,988,000	30,459,000		
06 EDUCATION					
06 HIGHER EDUCATION FUND					
04 UNH - MANCHESTER					
90 UNH - MANCHESTER		3,854,000	3,997,000		
TOTAL				3,997,000	
ESTIMATED SOURCE OF FUNDS FOR					
UNH - MANCHESTER					
06 AGENCY INCOME		2,142,000	2,142,000		
07 AGENCY INCOME		50,000	50,000		
08 AGENCY INCOME		600,000	600,000		
GENERAL FUND		1,062,000	1,112,000		
TOTAL		3,854,000	3,997,000		

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06 EDUCATION							
06 HIGHER EDUCATION FUND							
05 SCHOOL OF LIFELONG LEARNING							
30 SCHOOL OF LIFELONG LEARNING							
TOTAL				2,593,000	2,593,000	2,703,000	2,703,000
ESTIMATED SOURCE OF FUNDS FOR							
06 HIGHER EDUCATION LEARNING							
07 AGENCY INCOME				1,686,000	1,686,000	1,752,000	1,752,000
08 AGENCY INCOME				79,000	79,000	84,000	84,000
09 AGENCY INCOME				84,000	84,000	78,000	78,000
GENERAL FUND				2,593,000	2,593,000	2,703,000	2,703,000
TOTAL				2,593,000	2,593,000	2,703,000	2,703,000
06 EDUCATION							
06 HIGHER EDUCATION FUND							
06 UNH - CONSULTING CENTER							
90 UNH - CONSULTING CENTER				2,281,000	2,281,000	2,506,000	2,506,000
TOTAL				2,281,000	2,281,000	2,506,000	2,506,000
ESTIMATED SOURCE OF FUNDS FOR							
06 HIGHER EDUCATION LEARNING				2,160,000	2,160,000	2,376,000	2,376,000
07 AGENCY INCOME				121,000	121,000	180,000	180,000
GENERAL FUND				2,281,000	2,281,000	2,506,000	2,506,000
TOTAL				2,281,000	2,281,000	2,506,000	2,506,000
06 EDUCATION							
06 HIGHER EDUCATION FUND							
07 AGRICULTURE EXPERIMENT STAT							
90 AGRICULTURE EXPERIMENT STATION				3,654,000	3,654,000	3,745,000	3,745,000
TOTAL				3,654,000	3,654,000	3,745,000	3,745,000
ESTIMATED SOURCE OF FUNDS FOR							
06 HIGHER EDUCATION LEARNING				1,850,000	1,850,000	1,850,000	1,850,000
07 AGENCY INCOME				1,804,000	1,804,000	1,895,000	1,895,000
GENERAL FUND				3,654,000	3,654,000	3,745,000	3,745,000
TOTAL				3,654,000	3,654,000	3,745,000	3,745,000

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06 EDUCATION							
06 HIGHER EDUCATION FUND							
08 MARINE RESEARCH & DEVELOPMENT							
90 MARINE RESEARCH & DEVELOPMENT							
TOTAL					2 512 000	2 581 000	2 581 000
ESTIMATED SOURCE OF FUNDS FOR							
MARINE RESEARCH & DEVELOPMENT							
08 AGENCY INCOME					1 868 000	1 905 000	1 905 000
08 AGENCY INCOME					644 000	676 000	676 000
GENERAL FUND					2 512 000	2 581 000	2 581 000
TOTAL							
06 EDUCATION							
06 HIGHER EDUCATION FUND							
08 UNH COOP EXTENSION SERVICE							
90 UNH COOP EXTENSION SERVICE							
TOTAL					2 538 000	2 596 000	2 596 000
ESTIMATED SOURCE OF FUNDS FOR							
UNH COOP EXTENSION SERVICE							
06 AGENCY INCOME					50 000	50 000	50 000
06 AGENCY INCOME					1 333 000	1 372 000	1 372 000
06 AGENCY INCOME					1 155 000	1 173 000	1 173 000
GENERAL FUND					2 538 000	2 596 000	2 596 000
TOTAL							
06 EDUCATION							
06 HIGHER EDUCATION FUND							
10 SYSTEMS/CHANCELLOR'S OFFICE							
90 SYSTEMS/CHANCELLOR'S OFFICE							
TOTAL					246 000	260 000	260 000
ESTIMATED SOURCE OF FUNDS FOR							
SYSTEMS/CHANCELLOR'S OFFICE							
06 AGENCY INCOME					203 000	217 000	217 000
06 AGENCY INCOME					43 000	43 000	43 000
GENERAL FUND					246 000	260 000	260 000
TOTAL							

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06 EDUCATION					
06 HIGHER EDUCATION FUND					
11 EXTENSION WORK IN COUNTIES					
90 EXTENSION WORK IN COUNTIES					
TOTAL	2,083,000	2,083,000	2,102,000	2,102,000	
ESTIMATED SOURCE OF FUNDS FOR					
EXTENSION WORK IN COUNTIES					
06 AGENCY INCOME	25,000			25,000	
06 AGENCY INCOME	1,671,000			1,671,000	
06 AGENCY INCOME	387,000			387,000	
GENERAL FUND	2,083,000			2,102,000	
TOTAL					
06 EDUCATION					
06 HIGHER EDUCATION FUND					
12 N H PUBLIC TELEVISION					
30 N H PUBLIC TELEVISION					
TOTAL	4,976,000	4,976,000	5,183,000	5,183,000	
ESTIMATED SOURCE OF FUNDS FOR					
N H PUBLIC TELEVISION					
06 AGENCY INCOME	2,730,000			2,839,000	
06 AGENCY INCOME	480,000			490,000	
06 AGENCY INCOME	1,766,000			1,854,000	
GENERAL FUND	4,976,000			5,183,000	
TOTAL					
06 EDUCATION					
06 HIGHER EDUCATION FUND					
13 KEENE STATE - BO OF EDUCATION					
90 KEENE STATE BOARD OF EDUCATION					
TOTAL	854,000	854,000	889,000	889,000	
ESTIMATED SOURCE OF FUNDS FOR					
KEENE STATE - BO OF EDUCATION					
06 AGENCY INCOME	122,000			128,000	
06 AGENCY INCOME	254,000			259,000	
06 AGENCY INCOME	478,000			502,000	
GENERAL FUND	854,000			889,000	
TOTAL					
TOTAL					
ESTIMATED SOURCE OF FUNDS FOR					
HIGHER EDUCATION FUND					
GENERAL FUND	55,837,000			58,530,000	
OTHER FUNDS	180,966,000			192,193,000	

HR 0230 PAGE 392 05 01 89 OF EDUCATION OF HIGHER EDUCATION FUND		----- FISCAL YEAR 1990 ----- (CONT.) (CONT.)		----- FISCAL YEAR 1991 -----	
TOTAL		236,805,000		250,823,000	
TOTAL		406,985,538		428,471,356	
TOTAL ESTIMATED SOURCE OF FUNDS FOR					
EDUCATION		54,299,162		56,326,621	
FEDERAL FUNDS		110,772,005		110,885,851	
GENERAL FUND		238,155,000		251,224,534	
SWEETSTAKES FUND		238,155,000		251,224,534	
OTHER FUNDS		406,985,538		428,471,356	
TOTAL					

HB 0200 PAGE 393 05/04/89		----- FISCAL YEAR 1990 -----		----- FISCAL YEAR 1991 -----	
1.07 SUMMARY					
TOTAL APPROPRIATION FOR CATEGORY 01					
GENERAL GOVERNMENT					
AS INCLUDED IN SECTION 1.01		189,513,435		195,535,747	
ESTIMATED SOURCE OF FUNDS FOR CATEGORY 01					
GENERAL GOVERNMENT					
AS INCLUDED IN SECTION 1.01		28,723,424		28,262,207	
FEDERAL FUNDS		11,682,128		11,148,780	
OTHER FUNDS		149,107,883		156,154,760	
GENERAL FUND		189,513,435		195,535,747	
TOTAL					
TOTAL APPROPRIATION FOR CATEGORY 02					
ADMIN OF JUSTICE & PUBLIC PRIN					
AS INCLUDED IN SECTION 1.02		151,799,430		155,785,818	
ESTIMATED SOURCE OF FUNDS FOR CATEGORY 02					
ADMIN OF JUSTICE & PUBLIC PRIN					
AS INCLUDED IN SECTION 1.02		15,766,325		15,939,915	
FEDERAL FUNDS		49,758,818		49,250,761	
OTHER FUNDS		87,024,258		90,635,142	
GENERAL FUND		151,799,430		155,785,818	
TOTAL					
TOTAL APPROPRIATION FOR CATEGORY 03					
RESOURCE PROTECT'N & DEVELOP T					
AS INCLUDED IN SECTION 1.03		75,055,424		87,464,988	
ESTIMATED SOURCE OF FUNDS FOR CATEGORY 03					
RESOURCE PROTECT'N & DEVELOP T					
AS INCLUDED IN SECTION 1.03		25,871,503		36,029,603	
FEDERAL FUNDS		9,287,599		9,224,720	
OTHER FUNDS		34,811,523		35,525,600	
GENERAL FUND		7,162,481		8,280,283	
FISH AND GAME FUNDS		75,055,424		87,464,988	
TOTAL					

HB 0200 1 07 SUMMARY	PAGE 394	05 04:89	----- FISCAL YEAR 1990 -----	----- FISCAL YEAR 1991 -----
TOTAL APPROPRIATION FOR CATEGORY D4				
TRANSPORTATION			275,860,306	286,466,579
AS INCLUDED IN SECTION 1 04				
ESTIMATED SOURCE OF FUNDS FOR CATEGORY 04				
TRANSPORTATION			59,823,560	59,755,262
AS INCLUDED IN SECTION 1 04			12,789,297	13,630,727
FEDERAL FUNDS			3,162,854	3,168,231
OTHER FUNDS			16,626,443	16,462,496
GENERAL FUNDS			36,519,146	46,781,968
HIGHWAY FUNDS				286,466,579
TURNPIKES FUNDS			275,860,306	
TOTAL				
TOTAL APPROPRIATION FOR CATEGORY 05				
HEALTH AND SOCIAL SERVICES			478,639,321	505,729,712
AS INCLUDED IN SECTION 1 05				
ESTIMATED SOURCE OF FUNDS FOR CATEGORY 05				
HEALTH AND SOCIAL SERVICES			171,109,512	182,109,581
AS INCLUDED IN SECTION 1 05			51,765,791	56,323,375
FEDERAL FUNDS			255,764,018	267,786,705
OTHER FUNDS			478,639,321	505,729,712
GENERAL FUND				
TOTAL				
TOTAL APPROPRIATION FOR CATEGORY 06				
EDUCATION			406,985,538	428,471,356
AS INCLUDED IN SECTION 1 06				
ESTIMATED SOURCE OF FUNDS FOR CATEGORY 06				
EDUCATION			54,599,162	56,325,621
AS INCLUDED IN SECTION 1 06			238,098,062	251,629,534
FEDERAL FUNDS			110,772,005	116,895,080
OTHER FUNDS			3,516,310	3,626,121
GENERAL FUND			406,985,538	428,471,356
SNEEPTAKES FUNDS				
TOTAL				
TOTAL APPROPRIATION AS INCLUDED IN SECTIONS				
1 01 THRU AND INCLUDING 1 06			1577,853,454	1659,454,200
ESTIMATED SOURCE OF FUNDS AS INCLUDED IN				
SECTIONS 1 01 THRU AND INCLUDING 1 06				
FEDERAL FUNDS			355,853,486	378,412,189
OTHER FUNDS			372,622,123	391,741,897
GENERAL FUNDS			640,062,591	670,080,396
GENERAL FUND			163,165,845	163,080,396
HIGHWAY FUNDS			5,787,318	5,787,318
TURNPIKES FUNDS			3,516,310	3,626,121
SNEEPTAKES FUNDS			36,519,146	46,781,968
TOTAL			1577,853,454	1659,454,200

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1.07 Budget Footnotes; General.

A. Centralized Data Processing.

I. The department of administrative services shall, prior to performing data processing services for any department, board, commission, institution or other agency, enter into a written agreement specifying in detail the services to be performed and the cost to the agency. Said agreement shall be binding on the division of information services and the other agency. Any change or modification in the services to be performed shall likewise be agreed to in writing and shall specify the change and the adjustment to the cost. Any dispute relative to such agreements shall be resolved by the attorney general. The provisions of this paragraph shall apply to operations and systems development services only. The provisions of this paragraph shall not permit any state department, board, commission, institution or other agency to contract for data processing services without the approval of the department of administrative services.

II. The department of administrative services is hereby authorized to make expenditures in excess of the amount appropriated by section 1 of this act to the extent that other agency income received by the department including but not limited to income from governmental and political subdivisions exceeds the anticipated other agency income in section 1 of this act.

III. This appropriation shall not be transferred or expended for any other purpose and any expenditures shall have the prior approval of the department of administrative services. Before the final closing of accounts by the comptroller, he shall record all outstanding liabilities due to and from each state department for the purpose of establishing a

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final user assessment or rebate which shall also include all planning and support charges. Such computed assessment shall be recorded and collected within 30 days of the billing date or shall be carried as an accounts receivable. Any uncollectable accounts receivable shall be reported to the legislature by the comptroller for appropriate adjustment no later than January 15, 1991.

B. Revenue shall be deposited with the state treasurer as unrestricted revenue.

C. Revenues in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

E. The funds in this appropriation are for general overhead state charges and such sums shall be transferred by the comptroller on the first day of each fiscal year from the agency to the general fund of the state consistent with federal requirements.

F. This appropriation shall not lapse until June 30, 1991.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 1991.

H. The funds in this appropriation shall not be transferred or used for any other purpose and shall not lapse until June 30, 1991. No additions or deletions may be made from those projects authorized for funding from the original maintenance survey except in an emergency situation and then only after consultation with the administrator of the bureau of public works and approval by the budget officer.

I. In the event that estimated revenue is less than budgeted, the total

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appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounts forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficit. The provisions of this footnote do not apply to federal funds covered by RSA 124:14.

GENERAL SECTIONS

2 General Fund and Total Appropriation Limits. The amount included in PAU 06, 06 (higher education fund) under estimated source of funds from general fund shall be the total appropriation from general funds for such PAU that may be expended for the purpose of section 1 of this act. Any funds received by said agency from any other source than general funds in excess of the estimate of funds from other than general funds are hereby appropriated for the use of the agency and may be expended by it whether or not this will result in an appropriation and expenditure by the agency in excess of the total appropriation therefor.

3 Fish and Game Department.

1. The budget officer, in a form acceptable to him, shall require the executive director of the fish and game department to prepare a listing of all claims against available federal funds allocated to the fish and game department as of June 30, 1989, to be submitted to the budget officer no later than July 10, 1989. All claims listed shall be reviewed by the department of administrative services and compared to the records maintained at the fish and game department to insure that all direct and applicable indirect federal participating expenditures through June 30, 1989, have been included. All federal project records shall be

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completely up-to-date at all times, and billings for federal reimbursements shall be made on a timely basis. A federal project status report, as prescribed by the budget officer, shall be submitted quarterly, on October 10, January 10, and April 10, to the department of administrative services for review. The budget officer shall report his findings and recommendations as to the status of the federal funds and related appropriations to the fiscal committee of the general court within 40 days after the close of each quarter.

II. Prior to closing the state accounts for each fiscal year, the director, division of accounting services, shall adjust for federal revenue in the fish and game fund. All unrecorded prior year reimbursements from federal funds shall be deposited into the fish and game fund.

4 Department of Resources and Economic Development; Purchase of Land. In the event that an especially valuable or unusual parcel or parcels of land become available and funds are required to meet a federal match requirement, sums not in excess of \$200,000 in total may be expended for such purpose with the prior approval of the fiscal committee and the governor and council. The governor is authorized to draw his warrant for such purposes from any money in the treasury not otherwise appropriated.

5 Department of Resources and Economic Development; Parks Division.

I. For the biennium ending June 30, 1991, the commissioner of resources and economic development may, with the prior approval of the fiscal committee and with the approval of the governor and council, utilize up to \$250,000 of the projected revenue for each fiscal year to effectively operate the parks division and insure the maximization of revenue.

II. The division of parks, with the approval of the commissioner,

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department of resources and economic development, may provide for differentials in rates on a case-by-case basis in a particular day or limited period when the quality of the facility is substantially reduced due to such natural causes as poor snow, ice conditions, cold, rain, or other environmental or equipment problems or for the purpose of cooperative marketing or market experimentation.

6 Personal Services Reduction.

I. Notwithstanding any law to the contrary, the total number of permanent classified positions for any department or agency for the biennium ending June 30, 1991, shall not exceed the number of full-time and permanent classified positions in pay status on April 1, 1989, including any position waivers granted under the provisions of Executive Order 89-1, as amended, and such new positions as are authorized by the general court. For the purpose of this section the term "pay status" includes the position of any person on approved leave, paid or unpaid.

II. The executive head of the department or agency shall determine, within the total classifications that were authorized for fiscal year 1989 unless otherwise abolished, which positions shall be filled within the limitations of the personal services appropriations for the department or agency, and the personnel classifications as authorized in this act, and the numerical limitations imposed by this section.

III. With respect to agencies having an authorized compliment of 5 permanent classified positions or less the authorized number of positions shall not be reduced under this section. The provisions of this section shall not apply to temporary, part-time, or seasonal positions authorized by class 50 appropriations.

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7 Assignment of Office Space. If, during the biennium ending June 30, 1991, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the comptroller to the bureau of general services, PAU 01, 04, 05, 05, 01 for maintenance of state buildings.

8 Sweepstakes Commission; Authority Granted. For the biennium ending June 30, 1991, in order to provide sufficient funding to the sweepstakes commission to carry out sweepstakes programs that will provide funds for distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new sweepstakes programs or for the purchase of any tickets for new or continuing games. The commission is authorized to transfer up to \$37,500 per quarter for any sweepstakes current expense item upon subsequent notification within 10 days to the fiscal committee and the governor and council citing the reasons and justification therefor. Additionally, no expenditures for consultants shall be contracted without prior approval by the fiscal committee. If approval of any such new program, purchase of tickets or consulting services is given, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue

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special account. The total of such transfers shall not exceed \$3,500,000 for the biennium ending June 30, 1991.

9 Attorney General; Special Provision. For the biennium ending June 30, 1991, filing fees received by the attorney general pursuant to RSA 7:28-a shall be deposited with the state treasurer as restricted revenue; and any excess of such revenue over the amounts appropriated for the division of charitable trusts shall lapse to the unappropriated surplus of the general fund. Expenditures from this fund shall not be made except by appropriation by the general court.

10 Appropriation of Unrestricted Motor Vehicle Revenue. All sums received by the division of motor vehicles or the division of state police, department of safety, from any source, which are not derived from registration fees, drivers' licenses, gasoline road tolls or any other special charges or taxes with respect to the operation of motor vehicles or the sale or consumption of motor vehicle fuels, including revenue received from fines and forfeitures assessed against any violator of any law of the state, other than RSA 266:18-266:26, or of any political subdivision thereof relative to the use and operation of motor vehicles, whether the violator is apprehended or prosecuted by an employee of the state or any political subdivision thereof, shall be paid to the state treasurer and shall, for the biennium ending June 30, 1991, be available for expenditure as unrestricted general fund revenues of the state. Fines and forfeitures assessed against any violator of RSA 266:18-266:26 shall be available as unrestricted highway fund revenues.

11 Police Standards and Training Council. In case increased enrollment makes necessary the expenditure of additional funds by the police standards

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and training council over budget estimates in order to meet mandated training requirements, the legislative fiscal committee, with the concurrence of the governor and council, may authorize the police standards and training council to transfer unappropriated penalty assessment funds to operating accounts for such purposes.

12 Lapse to General Fund. On June 30, 1989, the sum of \$221,814.62 in account number 10-23-1110, driver and safety education fund carried forward from fiscal 1988 to fiscal 1989, shall lapse to the general fund.

13 Appropriations Reduction. The department of corrections is hereby directed to reduce all state general fund appropriations by \$250,000 for each of the fiscal years ending June 30, 1990, and June 30, 1991. The commissioner of the department of corrections shall, within 15 days of the effective date of this act, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section.

14 Positions Abolished or Created. The legislative budget assistant shall provide to the division of personnel within 30 days after the effective date of this act a list of the permanent positions authorized or abolished in this act.

15 Appropriations Reduction; Office of the Commissioner, Health and Human Services. The office of the commissioner of health and human services is hereby directed to reduce all of its state general fund appropriations for the financial services unit by \$300,000 for the fiscal year ending June 30, 1990, and by \$400,000 for the fiscal year ending June 30, 1991.

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16 Appropriations Reduction; New Hampshire Hospital. The division of mental health and developmental services is hereby directed to reduce all state general fund appropriations at the New Hampshire hospital by \$1,900,000 for the fiscal year ending June 30, 1991. The director of the division shall, by October 1, 1990, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section.

17 Appropriations Reduction; Laconia Developmental Services. The division of mental health and developmental services is hereby directed to reduce all state general fund appropriations at the Laconia developmental services center by \$2,200,000 for the fiscal year ending June 30, 1991. The director of the division shall, by October 1, 1990, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section.

18 Positions Reclassified. Within the department of environmental services the following positions shall be reclassified as follows effective at the close of business on July 1, 1989:

I. PAU 03, 04, 02, 03, 01, wetlands board, position number 11366 shall be reclassified to that of bureau administrator, IV, step 1.

II. PAU 03, 04, 02, 03, 02, coastal program, position number 18152 shall be reclassified to that of environmentalist IV, step 2.

19 Appropriations Reduction; Liquor Commission. The liquor commission is hereby directed to reduce all state general fund appropriations for the fiscal year ending June 30, 1991, in an amount not less than \$750,000. The

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commission shall submit to the fiscal committee by December 31, 1989, a plan outlining its general fund reductions by means of consolidating store locations and readjusting store sizes in a manner that is more cost effective and better proportioned to the areas they serve. Upon approval of the fiscal committee, the commission shall, within 15 days, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to fully comply with this section.

20 Positions Abolished. The following positions are hereby abolished forthwith effective at the close of business on July 1, 1989:

Budget Number	Position Numbers
05, 01, 05, 01, 07	14994.
05, 01, 03, 01, 01	17374.
03, 03, 02, 03	11489.

21 Estimates of Unrestricted Revenue.

GENERAL FUND	1990	1991
Beer	\$ 12,600,000	\$ 12,600,000
Board and Care	15,000,000	15,000,000
Business Profits Tax	152,700,000	165,000,000
Estate and Legacy Tax	32,400,000	34,800,000
Insurance	46,000,000	50,000,000
Interest and Dividend Tax	41,000,000	43,450,000
Liquor	55,000,000	57,000,000
Meals and Room Tax	87,000,000	92,500,000

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GENERAL FUND	1990	1991
Parks Income	6,000,000	6,000,000
Dog Racing	8,325,000	8,325,000
Horse Racing	2,625,000	2,625,000
Real Estate Transfer Tax	41,700,000	42,400,000
Telephone	10,500,000	11,000,000
Cigarette Tax	35,500,000	35,500,000
Utilities	8,500,000	9,000,000
Other	37,150,000	37,275,000
Courts	29,325,000	32,800,000
Savings Bank Tax	<u>11,000,000</u>	<u>12,000,000</u>
Total	\$ 632,325,000	\$ 667,275,000
HIGHWAY FUND		
Gasoline Road Toll	\$ 91,600,000	\$ 95,200,000
Motor Vehicle Fees	49,900,000	51,400,000
Miscellaneous	<u>2,700,000</u>	<u>10,100,000</u>
Total	\$ 151,200,000	\$ 156,700,000
FISH AND GAME FUND		
Fish and Game Licenses	\$ 5,300,000	\$ 5,410,000
Fines and Penalties	70,000	70,000
Miscellaneous Sales	150,000	150,000
Indirect Costs	<u>150,000</u>	<u>125,000</u>
Total	\$ 5,670,000	\$ 5,755,000

22 Effective Date. This act shall take effect July 1, 1989.

Amendment adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Bartlett moved that the rules of the Senate be so far suspended as to allow the following bill to be re-referred to a House Policy committee.

SB 57-FN, relative to mandatory waste reduction and recycling for state agencies.

Adopted (2/3 votes)

Recess.

Out of Recess.

Senator Dupont in the Chair.

NOTICE OF RECONSIDERATION

Senator Bartlett moved reconsideration of HB 422.

Adopted.

Committee Report Ought to Pass. Senator Bartlett for the Committee.

SENATOR BARTLETT: HB 422 is the business profits tax which we passed. I ask you to defeat the Ought to Pass motion and I will offer a substitute motion of Inexpedient to Legislate which means that the business profits tax will remain at 8 percent for the next biennium. You have just passed a budget which we have indicated to both the House and the Governor that it is a budget that is properly funded and there will be no need to address the BPT tax with any increase at this time. So I request that you vote no on the Ought to Pass and then I will make a motion of Inexpedient to Legislate.

Committee recommendation of Ought to Pass failed.

Senator Bartlett moved that HB 422 be Inexpedient to Legislate.

SENATOR BLAISDELL: I rise in support of the report of Senator Bartlett. He has expressed it well. There is no need for the Business Profits tax to rise. It should stay at 8 percent. We have a good budget before us and I would hope that you would support the motion.

Adopted.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 56-FN-A, authorizing a collection program for unwanted pesticides in the possession of farmers and making an appropriation therefor.

Ought to Pass. Senator Torr for the committee.

SENATOR TORR: HB 56 appropriates \$75,000 from the New Hampshire hazardous waste clean up fund for the fiscal year ending June 30, 1990 to provide for a pesticide waste collection and disposal program for farmers. The appropriation will be used toward the set up of locations in various parts of the state and to analyze for analysis for unknowns and to provide for one pesticide inspector. I think you are all familiar with the household hazardous waste program and how that works. This is a one-time program for pesticide disposal by farmers.

Adopted. Ordered to Third Reading.

HB 58-FN-A, appropriating funds for inspection of apiaries and prevention of honeybee colony contamination.

Ought to Pass. Senator Hough for the committee.

SENATOR HOUGH: So that I don't get stung, the committee spent a great deal of time on this piece of legislation and agrees with the policy committee that we should support this bill with a report of Ought to Pass.

Adopted. Ordered to Third Reading.

HB 96-FN-A, increasing the personal needs allowance and making an appropriation therefor.

Ought to Pass with Amendment. Senator Hough for the committee.

SENATOR HOUGH: This piece of legislation is reported Ought to Pass with Amendment. It brings the state into line with federal compliance and it is one of these pieces of legislation that we just have to pass.

Amendment to HB 96-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

increasing the personal needs allowance.

Amend the bill by deleting section 3 and renumbering the original section 4 to read as 3.

AMENDED ANALYSIS

This bill increases the personal needs allowance for residents of nursing homes and in residential care facilities and community residences. The amount of the increased monthly personal needs allowance is to be determined by the director of the division of human services in accordance with federal regulations. In no event will this amount be less than \$40 a month.

Amendment adopted. Ordered to Third Reading.

HB 135-FN, relative to school administration.

Ought to Pass with Amendment. Senator Hough for the committee.

SENATOR HOUGH: The amendment that the Senate Finance Committee put onto this piece of legislation brings the bill back to the status which the policy committee on Education reported this a couple of weeks ago. Clearly, it strikes that provision for supervisory budget hearings in each of the towns and this was the floor amendment that Senator Johnson proposed.. We recognize that Senator Johnson feels strongly on this issue but feel that the policy committee on Education under Senator Disnard should prevail.

SENATOR DISNARD: Senator Hough I appreciate you giving me some credit, but in all honesty I supported Senator Johnson and I think it would be a mistake. Would you believe that I also realize it would be a mistake because it would allow each of the communities not to have an override or a veto on the SAU budget, but to better understand? Now I realize the some of the superintendents may have called you, would you believe, because they feel it is an extra burden in time. But in actuality each school board chairman could explain. It was a good amendment.

SENATOR HOUGH: Senator Disnard, I would tell you this in response to the superintendents calling me. They may have tried, but in all honesty, they didn't get through, but I can attribute that to a teenage daughter. The committee on Finance, in the waning hours, is always faced with taking action on legislation that has been sent to us from policy committees and I would tell you that I don't think that the committee on Finance has a strong position. We feel that it would be better for this body to have the bill as it was sent out of the committee on Education. It is my understanding that this bill was on the floor of the Senate from Education without the Johnson amendment. You have the opportunity to act either on the amendment or on the bill. And in terms of the finances of the State of New Hamp-

shire, state government as opposed to requiring the local communities and the supervisory units to have special meetings, it has no impact.

SENATOR JOHNSON: I would like to speak in favor of defeating the Finance committee amendment for a number of reasons. I would like to remind this body that we passed these amendments and these amendments were discussed as Senator Disnard said with him and two or three other people. All we are doing is providing a greater opportunity for the people to have a say in what happens in their School Administrative Unit budget hearings. It also takes away one of the mandates having to do with the staffing of the SAUs, the professional staffing of the SAUs, and this is in line with what Senator Dupont pointed out a week or so ago. That we ought to work individually to rid the statutes of odious state mandates, and this is an opportunity to do that. I cannot believe that Senator Hough would try to undo something that would provide the public with an opportunity for some scrutiny of their SAU budgets. And I speak from having only lately scrutinized my own SAU budget in which I found there were 14 and 14 1/2 percent pay increases and this is an opportunity for the public to do that. So I urge this body, after having voted in favor of these amendments before, to defeat this pending amendment and give the public an opportunity to know what is happening with their SAU budgets.

SENATOR HOUGH: I did make the report on behalf of the Senate Finance Committee and I indicated that the amendment that the committee offered was to bring the bill out in the condition it was when it left the policy committee. Now I was unaware that the chairman of the policy committee was in a minority position on this piece of legislation. As far as the integrity of the Senate Finance Committee is concerned, this again is not an issue that impacts the finances of the State of New Hampshire. I would like to have this opportunity to speak as a member of this body and simply indicate that I would vote in favor of this amendment as opposed to Senator Johnson's opposition to it. And I would tell you that I have the Masacoma Valley Regional school district which ostensibly is the towns of Enfield and Canaan, but it also includes Dorchester, Grafton and Orange. And so, too, the Kearsage District has the towns of Springfield, New London, Newbury, Sutton and the communities in Senator Currier's district. Not to mention the supervisory unit in the city of Lebanon also includes Plainfield and Wrentham as Hanover includes Lyme and Orford. I think as you get further north and you are in support of the SAU concepts, you come to realize that there are hollows and boroughs and incorporated places who find it

quite difficult to have meetings in each one of these communities and I feel to this extent that I should represent what I perceive to be the best interest of the communities and the cooperative school districts in my district and for that reason I will support the Finance committee amendment that would eliminate the Johnson floor amendment. I am speaking as one of 24 that represents the constituency.

SENATOR NELSON: Senator Disnard, by way of history in terms of this bill before it went down to Finance, would I be correct in my understanding that Senator Johnson offered that amendment on the floor of the Senate?

SENATOR DISNARD: Johnson and Disnard, yes.

SENATOR NELSON: But you offered it on the floor of the Senate last week?

SENATOR DISNARD: Yes, ma'am and it was unanimous.

SENATOR DISNARD: The previous speaker in all intent is an honest Senator, but I do not believe he understood the amendment. Because of the pressures of the Senate Finance Committee he probably was unable to be here and working on the good section of the health and human services and education portion of the budget. All this amendment does is allow school boards to explain to each of their school districts what the make up of the SAU budget is. It does not give the school board any veto, or the school districts a veto over the SAU budgets. Now I know from experience if you have two people at a SAU budget hearing, consider yourself fortunate and that it is unusual to have two people there. The public does not understand the SAU budget and this doesn't mean that they haven't been warned, it doesn't mean that the superintendents who don't like this bill have to go to every district. All it means is a school board member or the chairman must explain to their constituents a very small budget compared to an overall budget. Usually it is the expenses of the administration of the SAU budget, sometimes it may include some special education pieces. It is not a burden on the school boards.

SENATOR KING: Senator Disnard, you have just spoken about the hearings process within the SAUs that this amendment had addressed before. Senator Johnson mentioned this issue of the mandating of the Assistant Superintendent's position. Was that part of that amendment as well?

SENATOR DISNARD: Yes.

SENATOR KING: So by voting for this floor amendment, we would be voting for both to keep mandating communities that they have to have an Assistant Superintendent within the SAU as well as requiring the hearings? Am I correct in that?

SENATOR DISNARD: It is my understanding that if the Senate version recommendation is voted down, then it will be in effect. What has not been mentioned until you brought it up, part of that amendment, Senator Johnson's and myself, is to save taxpayers dollars in a community that has elementary schools as an example just a principal and there are SAUs that have this, they would not have to, unless they wanted to, hire an assistant superintendent and business manager. Only if those SAUs desire to do so. It is a tax saving measure for the local taxpayer.

Amendment failed.

Adopted. Ordered to Third Reading.

HB 157-FN, relative to state ski operations at Mount Sunapee and Cannon Mountain and making an appropriation therefor.
Ought to Pass. Senator Dupont for the committee.

SENATOR DUPONT: HB 157 was previously spoken to on the floor of the Senate about a week ago. It dealt with the establishment of a director of ski operations for state facilities at Sunapee and Cannon and a marketing and ski service administrator. As we indicated at that point in time, we feel that this piece of legislation will help the state better manage its ski facilities and the Senate Finance committee concurred with the policy committee and I urge you to support Senate Finance.

Adopted. Ordered to Third Reading.

HB 300-FN-A, relative to studying access to medical care for persons without health insurance and making an appropriation therefor.
Ought to Pass with Amendment. Senator Hough for the committee.

SENATOR HOUGH: The committee on Finance reports HB 300-FN-A as Ought to Pass with Amendment. What the amendment does is require for the study for the purposes of this act to be funded out of the legislative budget assistant's office. In their budget they have the resources to conduct the necessary studies that the legislature may require and it was suggested that LBA would be the proper place to fund this and it would provide us with the type of study that we would find most useful. This subject is very impor-

tant. There is storm brewing, not only in the State of New Hampshire but in other states, and I think a number of people have looked at this issue over the last couple of years and are continuing to look at. We ought to know what we are faced with. And the committee wholeheartedly agrees with the purposes of this bill and the amendment provides the funding mechanism.

Amendment to HB 300-FN-A

Amend the bill by replacing all after section 4 with the following:

5 Powers of the Committee. The committee may contract with professional consultants or hire staff or consultants as necessary and appropriate to carry out its duties, within the limits of appropriated funds or other available funding. The committee may seek private funding or federal matching funds as necessary and appropriate to carry out its duties and expend such funds. To the extent possible, the office of the commissioner of the department of health and human services, the house of representatives, and the senate shall provide staff support. All state agencies are directed to cooperate fully and promptly with any requests for information from the committee.

6 Appropriation. The sum not to exceed \$30,000 for the biennium ending June 30, 1991, is appropriated out of funds available to the legislative budget assistant for the purpose of assisting the committee established in section 2 in hiring such consultants and staff as necessary and appropriate.

7 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a committee to conduct a survey to measure the nature and extent of health care access in New Hampshire. The committee shall devise a program to increase the availability of necessary and basic health coverage for low-income citizens who do not qualify for medicaid. The bill requires the committee to submit its findings and recommendations to the speaker of the house of representatives, the senate president, and the governor no later than December 1, 1989.

Funds are appropriated out of money available to the legislative budget assistant for the purpose of assisting the committee.

Amendment adopted. Ordered to Third Reading.

HB 371-FN-A, relative to licensing respiratory care practioners and making an appropriation therefore.

Ought to Pass with Amendment. Senator Hough for the committee.

SENATOR HOUGH: Again the committee on Finance supports the purposes of this bill. The amendment deletes the payment of per diem to members of the advisory board as established by this bill and authorizes them to travel and appropriates sufficient funds for travel and concurrent expense.

Amendment to HB 371-FN-A

Amend RSA 326-E:2, IV as inserted by section 2 of the bill by replacing it with the following:

IV. Members of the committee shall receive an in-state mileage allowance at the same rate provided state employees for actual attendance at meetings and examinations, and shall be of no expense to the state beyond such amount.

Amend the bill by replacing section 5 with the following:

5 Appropriation. The sum of \$1,200 is hereby appropriated to the board of registration in medicine for the biennium ending June 30, 1991, for the purposes of in-state mileage and expenses incurred in administering RSA 326-E. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill requires individuals to be licensed by the board of registration in medicine in order to practice respiratory care. The bill establishes licensing criteria and prohibited practices.

The bill also includes an appropriation for the purposes of implementing the new procedures.

Amendment adopted. Ordered to Third Reading.

HB 374-FN-A, relative to the Head Start program and making an appropriation therefor.

Inexpedient to Legislate. Senator Hough for the committee.

SENATOR HOUGH: The committee of Finance had reported this piece of legislation as Inexpedient to Legislate. The appropriation under this bill would provide them with the transportation section. The people from the Head Start met with Senator Blaisdell and me last week and they were concerned that there was a reduction in their budget relative to being able to pay their teachers and we in the budget restored them to a level funding position. We recognized that when this Head Start legislation was initially introduced a

couple of years ago that it had two parts. One was to compensate the Head Start teachers and the other was to address the transportation, both in maintenance and acquisition of Head Start buses. We felt that at this juncture we could not go forward with that level of funding and I would tell you that this was over the strong objections of Senator Podles. However, Senator Podles and Senator Krasker have discussed this further and there is an amendment that appropriates one dollar and certainly I have no objections to that amendment and would urge you, when it is introduced by Senator Krasker, to pass it and it will allow us to continue to enter into a dialog with our colleagues in the House and hopefully we can address some, if not all, of the transportation issue.

Senator Krasker moved to substitute Ought to Pass.

SENATOR KRASKER: I would like to substitute Ought to Pass for the motion of Inexpedient to Legislate and following that I will have an amendment which I will offer which Senator Hough has already talked about. This will allow the process to go forward. The New Hampshire automotive dealers have concluded negotiations with Head Start to provide vans at cost. What we are hoping to do is just allow this process to continue. At the present time, the vans are wholly inadequate. They are breaking down. It would just mean that few children would be able to be transported to Head Start Programs.

Senator Krasker offered a floor amendment.

SENATOR KRASKER: This does appropriate the sum of one dollar which will allow this bill to go to a committee of conference. It will continue the process so that something can be worked out. Perhaps for a reduced number of vans, but at least for additional vans to transport our children. And I urge adoption.

Floor Amendment to HB 374-FN-A

Amend the bill by replacing section 4 with the following:

4 Appropriation. The sum of \$1 for the fiscal year ending June 30, 1990, and the sum of \$1 for the fiscal year ending June 30, 1991, are appropriated to the division of human resources, executive department, for the purpose of funding New Hampshire's Head Start program in the area of maintenance of the transportation system. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.
Amendment adopted. Ordered to Third Reading.

HB 386-FN-A, relative to improving the financial status of impoverished children.

Inexpedient to Legislate. Senator Hough for the committee.

SENATOR HOUGH: The committee on Finance reports this as Inexpedient to Legislate. The money for this program is included in the operating budget. And RSA 167:7 permits the division to offer emergency assistance programs. Therefore it was felt that the bill was not needed.

Adopted.

HB 396-FN, relative to the board of examiners of nursing home administrators and to licensing nursing home administrators.

Inexpedient to Legislate. Senator Hough for the committee.

Senator Hough offered a substitute motion of Ought to Pass.

Adopted.

SENATOR HOUGH: Clearly there seemed to be a breakdown in understanding and communication between the actions of the committee last Thursday and Friday to today. It was recognized that we did not have the information and our staff did the research and felt that under those circumstances we should pass this legislation. It is critically necessary for the agency.

Adopted. Ordered to Third Reading.

HB 410-FN-A, relative to nursing scholarships and making an appropriation therefor.

Ought to Pass with Amendment. Senator Hough for the committee.

SENATOR HOUGH: The committee amendment eliminates the money under this bill. The money is contained in the operating budget. We need the language to allow for the maximization of the leveraged scholarship for nursing. So we would request that you adopt the committee report. The money is in the budget, the language has to be passed.

Amendment to HB 410-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

relative to nursing scholarships.

Amend the bill by deleting section 6 and renumbering the original section 7 to read as 6.

Amendment adopted. Ordered to Third Reading.

HB 429-FN-A, relative to Medicaid expansion for low-income pregnant women and establishing a task force on low provider participation in Medicaid.

Inexpedient to Legislate. Senator Hough for the committee.

SENATOR HOUGH: The report of the committee is Inexpedient to Legislate. But you will find an amendment offered by Senator Krasker. It was the committee's feeling that we should not set in statute a rate which could otherwise be provided for by administrative rules. Now the Krasker amendment, which we would support, strikes after the enacting clause so the ability to establish rates under the administrative rules provisions is still there and then in its place is the Krasker amendment that establishes a study committee and we find no objection to that. We were not looking at that part of it, we were looking at the statutory rate setting.

Senator Krasker moved to substitute Ought to Pass.

Senator Krasker offered a floor amendment.

SENATOR KRASKER: What the amendment does is just reinstate the task force on increasing provider participation and medical assistance membership. This would have been eliminated if the bill had been killed. When the bill came through our committee it was pointed out that low provider reimbursement is one reason why doctors don't provide maternal care to medicaid patients. But there are many other factors that should be looked at that would increase this participation. This amendment establishing the task force will allow them to look at this and perhaps come up with recommendations for the next session of the legislature which will, in fact, increase provider participation. There is no funding in this amendment. The reimbursement has already been put into the budget. I would urge its adoption.

Floor Amendment to HB 429-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a task force on low provider
participation in Medicaid.

Amend the bill by replacing all after the enacting clause with the following:

1 Task Force on Increasing Provider Participation in Medical Assistance Membership.

I. There is established the task force on increasing provider participation in medical assistance. The task force shall be composed of the following members:

(a) One member of the house of representatives, appointed by the speaker of the house.

(b) One member of the senate or designee, appointed by the president of the senate.

(c) One member appointed by the governor.

(d) The commissioner of the department of health and human services or designee.

(e) The administrator of the Office of Medical Services or designee.

(f) The chief of the Bureau of Maternal and Child Health or designee.

(g) One member of the Medical Care Advisory Committee appointed by the chair of that committee.

(h) The president of the New Hampshire Medical Society or designee.

(i) The president of the New Hampshire Dental Society or designee.

(j) One person to be appointed by the task force who is a medical assistance recipient.

(k) One member from the New Hampshire Nurses Association.

II. Appointments to the task force shall be made within 30 days of the effective date of this act.

III. Members of the task force shall serve without compensation, except that the legislative members shall receive mileage at the legislative rate when attending to their duties on the task force.

2 Meetings; Chair. The appointed house member shall convene the first meeting of the task force within 60 days of the effective date of this act at which the chair shall be chosen.

3 Duties. The task force shall have the following duties:

I. To consider the available information on the extent of the problem of access to medical services for persons who are eligible for medical assistance, including the geographic areas and the kinds of services for which the problem is most severe.

II. To consider the factors which may inhibit provider participation, including but not limited to medical assistance reimbursement rates, program billing procedures and payment delays, and malpractice-related reasons, and to assess the relative importance of such factors.

III. To determine the difference between medical assistance reimbursement rates and the rates paid by private insurers or the average provider charge for the various medical assistance covered services.

IV. To develop recommendations and proposed legislation based on its finding for increasing provider participation in medical assistance.

4 Report. The task force shall report its preliminary findings and recommendations to the speaker of the house, the president of the senate, and the governor no later than December 1, 1989, with proposed legislation for the 1990 legislative session. The task force shall report its final findings and recommendations no later than December 1, 1990, with proposed legislation for the 1991 legislative session.

5 Administrative Support. To the extent possible, the department of health and human services, the house of representatives, and the senate shall provide staff support. All state agencies are directed to cooperate fully and promptly with any requests for information for the task force.

6 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill establishes a task force to examine the problem of low provider participation in Medicaid for the purpose of making recommendations on proposed legislation to the general court.

Amendment adopted. Ordered to Third Reading.

HB 433-FN-A, relative to a pool for environmental liability insurance and making an appropriation therefor.

Ought to Pass. Senator Delahunty for the committee.

SENATOR DELAHUNTY: This bill establishing environmental risk insurance board to begin implementing an environmental risk pool. The bill appropriates and reimburses \$95,000 from the general fund for the biennium ending June 30, 1991 to help establish an insurance pool that would provide those companies in good faith as described in the bill. Insurance coverage that would be difficult if not impossible to obtain elsewhere for environmental pollution coverages. We recommend your support of Ought to Pass.

Adopted. Ordered to Third Reading.

HB 436-FN-A, relative to sewage treatment funds and making an appropriation therefor.

Interim Study Senator Dupont for the committee.

SENATOR DUPONT: This bill is recommended to go to study because the expected costs submitted by the Department of Environmental Services is \$4.9 million in 1991 and \$10.9 million in 1992. The amount appropriated with this bill of \$1.4 million is misleading when you consider a longer range cost analysis. The cost could be substantially more because their estimate of cost is based on those municipalities who responded to the use of the state revolving loan fund. Senate Finance recognizes that this is an area where we need to provide additional assistance to the communities, but would like some time to put together a more cost effective proposal.

Adopted.

HB 486-FN, relative to clearing land and cutting timber.
Ought to Pass. Senator Hough for the committee.

SENATOR HOUGH: The committee looked at this piece of legislation and it, in fact, does not appropriate money. It does indicate that there may be need for greater support within the agency, but they felt strongly that they had to have it and let's see if they can do it with the forces that they have. We recommend Ought to Pass.

Adopted. Ordered to Third Reading.

HB 518-FN, establishing a cost containment unit within the department of administrative services to administer the indigent defense eligibility and repayment program and making an appropriation therefor.

Ought to Pass with Amendment. Senator Dupont for the committee.

SENATOR DUPONT: You have before you HB 518 which deals with a cost containment unit within the Department of Administrative Services for indigent defense. We have all stood before the Senate or a number of us have in the past years talking about the cost of indigent defense and what we basically have in front of us is a repayment program and an appropriation to put this repayment program in place. It also adds an administrative fee to help recoup the cost of administrative portion of this program. And we recommend that it ought to be passed today.

SENATOR KING: Senator Dupont, in the committee amendment on page 17 it looks to be a change under paragraph VI from sentence to disposition. Is this a change that was made in Finance?

SENATOR DUPONT: Senator, I don't believe that was, but I may be incorrect. Yes, it was made in Finance.

SENATOR KING: As I read this, Senator Dupont, it appears that this change says that even people who are found innocent or whose charges have been dismissed would be required to pay for the defense. Is that the case?

SENATOR DUPONT: That is correct, Senator. You and I, as private citizens who pay for attorneys when we provide our own legal counsel, have to pay the bill whether we are guilty or innocent. And we are providing a service and whether or not an individual is guilty or innocent really shouldn't make any difference in terms of getting the state's money back so we can spend it on other programs to benefit all the citizens of the State of New Hampshire.

SENATOR KING: Senator Dupont, would you agree that we as citizens would then have the right, because we have the finances, to seek redress in the courts for an illegal arrest or something of that nature and that these people who are getting indigent defense because they can't afford it in the first place would not have that redress?

SENATOR DUPONT: I would say that probably that may be correct, but we are providing these individuals with legal counsel which as you know if they didn't have legal counsel they face the possibility of incarceration and I would think that they would be more than willing to pay back to the state of New Hampshire for the fine legal service that kept the individuals out of jail in the first place.

SENATOR KING: Senator Dupont, my final question is do you believe that this will be upheld as constitutional by the courts?

SENATOR DUPONT: Senator, not being an attorney myself, I could probably stand behind Senator Hough's microphone and make a forty minute speech about that. If it is a constitutional question, I am sure that our Supreme Court will handle that and give us back a recommendation.

Amendment to HB 518-FN

Amend RSA 604-A:9, I as inserted by section 7 of the bill by replacing it with the following:

I. Any adult defendant who has had counsel or a public defender assigned to him at the expense of the state shall at the time of disposition, provided that the defendant's sentence does not include actual incarceration in the state prison, if the defendant is not placed on probation or sentenced to a period of conditional discharge, be or-

dered by the court under paragraph I-b to repay the state through the unit of cost containment, all fees and expenses paid on his behalf on such terms as the court may order consistent with the defendant's present or future ability to pay, such ability to be determined by the unit of cost containment. The office of cost containment may collect from the defendant a service charge of up to 10 percent of the total amount of fees and expenses owed by such defendant. If the defendant is placed on probation or sentenced to a period of conditional discharge, the defendant shall be ordered by the court to repay the state, through the department of corrections, all fees and expenses paid on his behalf on such terms as the court may order consistent with the defendant's present or future ability to pay.

Amend RSA 604-A:9, I-a as inserted by section 8 of the bill by replacing it with the following:

I-a. Notwithstanding the provisions of paragraph I, any juvenile charged with being delinquent who has had counsel or a public defender assigned to him at the expense of the state, or any person liable for the support of the juvenile pursuant to RSA 604-A:2-a, shall at the time of disposition, be ordered by the court to repay the state through the unit of cost containment where the defendant was not convicted or through the defendant's juvenile services officer where the defendant is convicted, all fees and expenses paid on the defendant's behalf on such terms as the court may order consistent with the defendant's present or future ability to pay. The office of cost containment may collect from the defendant or the person liable for his support a service charge of up to 10 percent of the total amount of fees and expenses owed by such defendant.

Amend the bill by inserting after section 9 the following and re-numbering the original sections 10-13 to read as 11-14, respectively.

10 Repayment. Amend RSA 604-A:9, VI to read as follows:

VI. At any time within 6 years of the disposition of an action in which the court finds at the time of [sentence] **disposition** or thereafter that the defendant is not able to make payments to the state as provided in paragraph I, the state may petition the court for an order of repayment. The court shall order such repayment in whole or in partial payments, unless the court finds the defendant is unable to pay, in whole or in partial payments, the amounts paid on his behalf for fees and expenses pursuant to this chapter. Notice of each such order shall be forwarded to the commissioner of administrative services.

Amend the bill by replacing section 13 with the following:

13 Appropriation; Department of Administrative Services. There is established a new PAU within the department of administrative services for the cost containment unit. The following sums are appropriated to this PAU to pay the costs of the positions authorized in section 14 of this act and other costs of the cost containment unit as follows:

- 01 General government
- 04 Administrative services
- 01 Office of commissioner
- 02 Budget office
- 05 Cost containment unit

	Fiscal Year 1990	Fiscal Year 1991
10 Personal services - permanent	118,756	123,788
20 Current expenses	39,580	43,090
30 Equipment	9,450	4,600
50 Other personal services	56,299	58,524
60 Benefits	31,622	34,187
70 In-state travel	3,000	3,400
80 Out-of-state travel	500	550
90 Other expenditures	1,600	1,600
TOTAL	260,807	269,739

Estimated source of funds for cost containment unit

General fund	260,807	269,739
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The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

AMENDED ANALYSIS

This bill establishes a cost containment unit within the office of the commissioner of administrative services. The unit of cost containment shall be responsible for determining eligibility and repayment schedules and for collecting repayments under the indigent defense program. The bill allows repayments to be collected from all persons assigned counsel at state expense, rather than only those persons who are convicted. The bill grants the commissioner of administrative services rulemaking authority necessary to administer the indigent defense eligibility and repayment program.

The bill makes an appropriation for purposes establishing new positions to administer the indigent defense eligibility and repayment program and other purposes of the cost containment unit.

Amendment adopted. Ordered to Third Reading.

Senator King wished to be recorded as opposed to the decision.

HB 570-FN-A, establishing a forgivable teaching loan program and making an appropriation therefor.

Inexpedient to Legislate. Senator Blaisdell for the committee.

SENATOR BLAISDELL: The Finance Committee reports this bill as Inexpedient to Legislate. Certainly we think it is a good program. But we have done everything that we could do in Finance under post-secondary. And I ask that this bill be Inexpedient to Legislate.

SENATOR NELSON: Senator Blaisdell, this bill was heard in the Senate Education committee and came out ought to pass and I am not clear as to what is the exact problem here that we couldn't give them at least something.

SENATOR BLAISDELL: The problem is we would have to set up \$100,000 over the biennium to do it, Senator Nelson, and I took that money and put it into different areas. I put it into waiting lists bills and all the others that everybody in this Senate wanted. I just felt that it was not the proper approach to do it at this time.

SENATOR NELSON: Senator Blaisdell, this very day alone, sir, I can hold up these bills right here that have nothing to do with waiting lists in which you found the money, so that being out of the way, the question, sir, how do we address some of the teaching shortages in the State of New Hampshire then if we are not helping our young people get into school after the feds are cutting back? Any suggestions?

SENATOR BLAISDELL: I think going to your school board meetings and raise their salaries. Maybe everybody would want to get into the teaching profession.

Adopted.

HB 578-FN, relative to victim's assistance and compensation.
Ought to Pass. Senator Torr for the committee.

SENATOR TORR: HB 578 establishes a victim's compensation program to be funded from a one percent increase in the penalty assessment currently collected for victims' assistance at two percent. The one percent increase would provide the Department of Justice approximately \$105,000 for fiscal year 1990 and \$220,000 for fiscal year

1991 to administer and provide compensation to those who qualify as defined in this bill. There is established a cap in this bill of \$5,000, doesn't pay if the victim's insurance pays, and the claim must be reasonable.

Senator Blaisdell moved to lay HB 578-FN on the table,
Adopted

HB 42, relative to actuarial review of rate filings.
Ought to Pass with Amendment. Senator Delahunty for the committee.

SENATOR DELAHUNTY: HB 42 and its amendment both deal with the actuarial section of the insurance department. The insurance department is presently without an actuary. They have been using outside consultants by presenting contracts to the governor and council. This has been an expensive and time consuming way to operate. With this bill it will insure that the insurance companies will be charged for these outside contracts should that method be necessary. With the amendment the actuary will be moved from that of a labor grade 34 to an unclassified position in group S. This should be a positive recruitment tool. The amendment also takes into account the actuarial position that will be in HB 350.

Amendment to HB 42

Amend the title of the bill by replacing it with the following:

AN ACT

creating a new position in the insurance department.

Amend the bill by replacing all after the enacting clause with the following:

1 New Unclassified Position. Amend RSA 94:1-a by inserting in group S, actuary, insurance department.

2 Contingency. In the event that HB 350-FN, relative to the unclassified personnel system and making an appropriation for a consultant fee, becomes law, the actuary position created by section 1 of this act shall be placed in the unclassified group one below the group containing the commissioner of the insurance department.

3 Effective Date.

I. Section 2 of this act shall take effect July 1, 1989, at 12:01 a.m.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill creates the unclassified position of "actuary" in the insurance department.

Amendment adopted. Ordered to Third Reading.

HB 84, relative to employees of political subdivision purchasing creditable service in the New Hampshire retirement system.

Ought to Pass. Senator Magee for the committee.

SENATOR MAGEE: This bill basically is a mechanism to allow employees of a political subdivision, town, city or school district, to purchase prior service. It means that they would have to pay both what the employer and employee would have contributed to the system had it been a member of the retirement system before the effective date of joining. For example a political subdivision elects to join the retirement system. People already in their employ have one year in which to join. The question arises how does the employer wish to treat the service of the employee prior to its election to join? Some employers will purchase this, others will not wish to pay retroactively. With the bill, should the employee wish to join the retirement system and the employer not wish to pay for prior service, the employee would now have an option, they would be able to pay to secure that prior service even though he must pay for it himself.

Adopted. Ordered to Finance (Rule #24)

HB 536-FN, relative to technical changes in unemployment compensation law and to changes in the maximum weekly benefit.

Ought to Pass. Senator Charbonneau for the committee.

SENATOR CHARBONNEAU: HB 536 as amended by the House is the agreed bill on unemployment compensation. It has been approved by the advisory council established under the act. The advisory council, as you know, consists of labor, management and non-partial chairmen. Again this has the full support of the advisory council, the AG's office. I urge your support.

Adopted. Ordered to Third Reading.

HB 579-FN, permitting certain policemen and firemen to join the New Hampshire retirement system.

Ought to Pass. Senator Magee for the committee.

SENATOR MAGEE: This bill will affect exactly four people - three firemen and one policeman. It is an effort to finally merge the old system and the new system. The retirement system would be more comfortable with the one system. The new system allows people to

retire earlier with better benefits than the old system. When the new system went into effect some people already in the old system thought that they wanted to work until they were seventy years old. At any rate they elected not to join the system. Over the years, most people have changed their minds someplace along the line. Now we have only four people left in the old system. It is time to merge the old and the new. The rest of the bill is merely housekeeping.

Adopted. Referred to Finance (Rule #24).

HB 595-FN, to permit teachers who relocate to New Hampshire to purchase their out of state service as creditable service in the New Hampshire retirement system.

Ought to Pass. Senator Delahunt for the committee.

SENATOR DELAHUNTY: HB 595-FN permits teachers who relocate to New Hampshire to purchase their out of state service as creditable service in the New Hampshire retirement system. This is pretty straightforward. If a currently active teacher, that is one now teaching or one teaching in the future, has relocated from another state and was a member of a retirement system in that state, he can purchase his out of state service as creditable service to the New Hampshire system. The kicker is that the other state has to allow him to take enough funds out of that system to be able to afford to purchase similar service in our system. It would appear that there are some states that would allow this and where it would be financially feasible. So that while this bill sets up a mechanism, it would not appear that too many teachers would be able to take advantage of it at the present time. However, it could be and may be an effective recruiting tool. This does not deal with teachers moving out of state.

Senator Krasker offered a floor amendment.

SENATOR KRASKER: This is an amendment offered by Senator Disnard and by me which adds the final sentence to the bill and the new sentence in the amendment is "for the purposes of this section, teachers shall include school administrative unit personnel and superintendents." There are a small number of superintendents and perhaps even an assistant superintendent who would like to be able to purchase their out of state service. We are dealing with a very small number of persons. Again it won't cost the state anything, but it will give superintendents, the small number who would like to, to be able to buy into this, the enabling legislation to do it. So I ask you to adopt this amendment which is really the last sentence on the amendment.

Floor Amendment to HB 595-FN

Amend RSA 100-A:4-b, I as inserted by section 1 of the bill by replacing it with the following:

I. Notwithstanding any provision of RSA 100-A to the contrary, every currently active teacher teaching during or after the 1988-89 school year, and who transferred as an active school teacher from another state, shall be allowed to purchase their out-of-state service as creditable service in the New Hampshire retirement system. Teachers under this section may purchase the full prior out-of-state service, or a pro rata portion of service equal to the amount of money withdrawn from the prior system upon payment of the amount determined by the actuary for the New Hampshire retirement system. For the purposes of this section, "teachers" shall include school administrative unit personnel and superintendents. Amendment adopted. Ordered to Finance (Rule #24)

HB 622-FN, relative to vested deferred retirement benefits for group I members.

Ought to Pass. Senator Delahunt for the committee.

SENATOR DELAHUNTY: This is primarily a compliance bill. The IRS requires this so that the retirement system can retain its deferred tax status, present law of vested deferred retirement and reduced early retirement. This bill combines both areas. A group I member who has completed 10 years of creditable service after age 50 and not 60 as in present law can apply for and receive a vested deferred retirement allowance based on reduced rates. This does have a fiscal note and will cost some money, approximately \$220,000 and will increase as salaries increase. However, it is a small price to pay to maintain the tax deferred status of our retirement system.

Adopted. Referred to Finance (Rule #24).

HB 681, relative to workers' compensation.

Ought to Pass with Amendment. Senator Delahunt for the committee.

SENATOR DELAHUNTY: I, just as a matter of procedure, want to urge my Senate colleagues to defeat the calendar amendment. I would like to propose a new amendment.

Amendment failed.

Senator Delahunt offered a floor amendment.

SENATOR DELAHUNTY: This is a lot easier if you just deal with the floor amendment that has been passed out. Workers' Compensation has existed in New Hampshire since 1917. It works because both the employers and employees have given up some of their rights in order for both to obtain a larger benefit. A worker gets injured on the job. The worker has given up his right to sue because he knows that his medical bills will be taken care of. The employer has given up the possibility of being sued in return for paying the medical bills. Everyone benefits, costs are reduced. With early medical intervention, the worker returns to the work place faster. The courts, throughout the years, have held that each side must give up a small right in order to gain something. This bill is carefully crafted with three areas, average weekly wage if two jobs are averaged, co-employee tort immunity, spinal injuries. All sides are hopeful that this will pass muster with the courts. The amendment carefully tightens the spinal injury area and also places the Workmens' Compensation Advisory Council in the position of watchdog. We originally had set up a committee with the bill that sunsets at the end of a two year period. The floor amendment changes that and sets up a review committee, that at the end of a two year period, will report to the Senate President and the Speaker of the House which relates to the projected costs of the legislation. This was an agreed upon bill.

SENATOR HEATH: Senator, you said this was agreed on by all the parties concerned? I had a lot of calls from small businesses and I haven't had any follow up that said this is coming and that this is something that they agree on. Can I be assured that small businesses who have objected so far to this legislation are in agreement on this?

SENATOR DELAHUNTY: No, Senator, I am remiss and I apologize. I too had some calls from the small business members, and I am not sure that they do approve. We have adjusted this and I should have included them and I apologize for not doing so. But we have taken every protective measure we can to keep the costs down and if the costs are in line with what was projected, I don't see it, and the committee didn't see it, harming anybody. It was pretty much agreed upon and in talking with some of the small businessmen after explaining the bill, the people that I had to deal with were acceptable. But I can't speak for your constituents.

SENATOR HEATH: Senator, then if I vote against this legislation, you understand that I am standing up for small business, the backbone of the state's economy?

Floor Amendment to HB 681-FN

Amend the bill by replacing section 4 with the following:

4 Injury to Spine. Amend RSA 281-A:32, IX to read as follows:

IX. More than one permanent loss. If an injury results in more than one permanent bodily loss specified in paragraphs I-VIII, **or if the injury is to the spinal column or the spinal cord**, an award shall be made on the basis of a maximum of 350 weeks with the appropriate number of weeks to be determined in proportion to the maximum in accordance with the percent of the whole person specified for such bodily losses in the most recent edition of "Guides to the Evaluation of Permanent Impairment" published by the American Medical Association. **Injury to spinal column or spinal cord shall not be construed to permit an award under this section as a result of soft tissue injury, nor to permit such an award on the basis of more than one permanent loss, unless such injury results in loss of use of upper or lower extremities.**

Amend the bill by inserting after section 6 the following and re-numbering the original sections 7-9 to read as 8, 9, 10, respectively:

7 Review. The provisions of this act shall be reviewed by the workers' compensation advisory council established in RSA 281-A:62. Such review shall include the effect the inclusion of spinal injuries has on the number of impairment awards, the cost of spinal awards and combined earnings to the workers compensation system, the effect these two provisions have on workers' compensation insurance rates and the extent to which litigation is lessened as a result of the reestablishment of co-employee tort immunity. The advisory council shall report its findings to the speaker of the house and the president of the senate by September 30, 1992.

Amendment adopted. Ordered to Third Reading.

HB 258-FN, increasing the cap on the revolving drug forfeiture fund.

Inexpedient to Legislate. Senator Preston for the committee.

SENATOR PRESTON: This subject matter was essentially dealt with in SB 97 so we request that you accept this motion of Inexpedient to Legislate.

Adopted.

HB 251-FN-A, establishing a committee to study methods of promoting New Hampshire businesses and products overseas and making an appropriation therefor.

Ought to Pass with Amendment. Senator King for the committee.

SENATOR KING: HB 251-FN-A establishes a committee to determine how the state might further involve itself in the area of promoting international trade for businesses throughout the state of New Hampshire. This is a subject that we have been looking into for some length of time now and it has finally made it through both the House and the Senate and we would encourage its passage.

Amendment to HB 251-FN-A

Amend section 5 of the bill by inserting after paragraph IV the following new paragraph:

V. One representative from the Whittemore School of Business and Economics at the University of New Hampshire.
Amendment adopted. Ordered to Third Reading.

HB 693-FN, relative to the leasing of submerged tidal lands.
Ought to Pass with Amendment. Senator Heath for the committee.

SENATOR HEATH: This bill was requested or at least encouraged by the Port Authority to do a study of the submerged wetlands and boating and navigation problems down there. They wanted to fund it through the receipts from the boating licenses on saltwater, but we changed that in the amendment, with agreement from the House members involved, to a \$50,000 cap. We put some State Planning people involved in some of the study. We put some Safety Department people involved in the study and we specified the members of the committee as opposed to the open slate that they had. And I urge your passage.

Amendment to HB 693-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to harbor management, leasing of submerged
lands and boat registration fees.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subparagraph; Special Fund; Harbor Management. Amend RSA 6:12, I by inserting after subparagraph (aa) the following new subparagraph:

(bb) Money received by the department of safety under RSA 270-C:3 up to the amount of \$50,000, which shall be credited to the harbor management fund.

2 Numbering Fees for Private and Commercial Vessels; Harbor Management Fund. Amend RSA 270-C:3 to read as follows:

270-C:3 Fees; Harbor Management Fund.

I. The numbering fee for private and commercial vessels shall be as follows:

Class A	less than 16 feet	\$3
Class 1	16 feet to 25.9 feet	3
Class 2	26 feet to 39.9 feet	3
Class 3	40 feet and over	3

II. There is hereby established a harbor management fund. Fees collected under paragraph I shall be deposited in such fund, until such time as \$50,000 in fees have been collected and deposited in such fund. When a total amount of \$50,000 in fees has been deposited in the harbor management fund, the fees collected under paragraph I thereafter shall be deposited in the general fund. Upon the approval of governor and council, the harbor management fund may be drawn on by:

(a) The port authority, for the purpose of studying and developing a harbor management plan.

(b) The office of state planning, for the purpose of studying and determining a schedule and policy for leasing of submerged lands and studying issues related to such leasing of submerged lands.

(c) The division of safety services, for the purpose of developing a plan to make salt water boat registration fees consistent and uniform with fresh water boat registration fees.

3 Study and Development of Harbor Management Plan by Port Authority.

I. The New Hampshire port authority, established under the provisions of RSA 271-A, shall study and develop a harbor management plan. The study shall include, but not be limited to, the following topics:

(a) The desirability of creating a unified navigational aid system for tidal waters of the state.

(b) Identification of locations for and making recommendations for the development of mooring fields, marinas and industrial docking activity.

(c) The continuation and development of harbor safety policies.

(d) Ways of maximizing the authority's present revenue sources.

(e) The impact of leasing policies on the commercial fishing industry, including the shore-based services and facilities on which this industry depends.

II. An advisory panel is hereby established to advise the authority on the study conducted under paragraph I. The committee shall consist of the following members:

(a) One house member, appointed by the speaker of the house.

(b) One senator, appointed by the senate president.

(c) The commissioner of resources and economic development or designee.

(d) The director of the office of state planning or designee.

(e) One representative of the commercial fishing industry, appointed by the director of the port authority.

(f) One representative of the marine trades industry, appointed by the director of the port authority.

(g) One representative of recreational boating interests, appointed by the director of the port authority.

(h) One harbor master, appointed by the director of the port authority.

(i) One municipal official, appointed by the governor.

(j) One member of the wetlands board, appointed by the governor and council.

(k) One environmental scientist, appointed by the governor.

(l) The director of the port authority.

III. The authority shall submit an interim report of its findings on or before June 30, 1990, and a final report along with copies of its harbor management plan on or before June 30, 1991, to the speaker of the house, the senate president, the governor and council, the chairperson of the house environment and agriculture committee, and the chairperson of the senate development, recreation and environment committee.

IV. The director of the port authority may, upon approval of governor and council, draw on the harbor management fund to pay the costs of this study.

4 Study of Leasing of Submerged Lands; Office of State Planning.

I. The office of state planning shall make a study to determine a set of criteria and a policy for leasing of submerged lands. The office shall examine:

(a) The desirability of the current trend towards what are commonly known as dockominiums, which are long-term subleasing of leases to multiple leaseholders.

(b) The adequacy of lease fee schedules to yield a fair rate of return for the state for the private use of submerged tidal lands.

(c) The impact of leasing policies on public access to the waters of the state, including access by commercial and recreational users.

II. The office of state planning shall submit an interim report of its findings on or before June 30, 1990, and a final report on its proposed criteria and policy for leasing on or before June 30, 1991, to the speaker of the house, the senate president, the governor and council, the chairperson of the house environment and agriculture committee, and the chairperson of the senate development, recreation and environment committee.

III. The director of the office of state planning may, upon approval of governor and council, draw on the harbor management fund to pay the costs of this study.

5 Study of Boat Registration Fees; Division of Safety Services. The division of safety services shall conduct a study of current boat registration fees and develop a plan to make the schedules of salt water boat registration fees and fresh water boat registration fees consistent and uniform. The director of the division safety services may, upon approval of governor and council, draw on the harbor management fund to pay the costs of this study. The division shall submit an interim report of its findings on or before June 30, 1990, and a final report of its plan on or before June 30, 1991, to the speaker of the house, the senate president, the governor and council, the chairperson of the house environment and agriculture committee and the chairperson of the senate development, recreation and environment committee.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill establishes a special harbor management fund. Boat numbering fees which are collected from boats in tidal waters by the department of safety up to a total amount of \$50,000, shall be deposited in such fund. The fund may be used, upon approval by governor and council, by the port authority, the office of state planning, and the division of safety services, to fund studies as directed by this bill.

The port authority is directed to conduct a study to develop a harbor management plan. The office of state planning is to conduct a study of leasing of submerged lands. The division of safety services is to conduct a study of fresh water and salt water boat registration fees. Each agency shall submit interim and final reports to the speaker of the house, the senate president, the governor and council, and the chairpersons of the house environment and agriculture committee and the senate development, recreation and environment committee during the 1990-91 biennium.

Amendment adopted. Ordered to Third Reading.

HB 709, relative to use of recording devices by plaintiffs and defendants.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This bill was heard by the House and Senate Judiciary last week. On the face of it, it is a pretty good idea. When you go to district court, it is important to have a record of what happened. It is not cost effective to hire a stenographer and under present statute and court rule, the judge determines whether or not proceedings can be recorded. The committee passed the bill out in its last meeting last week and since that time we have determined that there may be problems with giving total discretion to either the plaintiff or defendant to have these recordings occur without any jurisdiction in the court, because there are certain hearings that are by statute confidential. So as a result, I would like to urge the members of this body to vote down the present motion of Ought to Pass with Amendment and I will be offering a substitute motion of Interim Study.

Senator Bass moved to substitute Interim Study.

Adopted

HB 475, requiring the full legal name of persons on ballots and on checklists.

Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: This is a bill that Public Affairs Committee labored long and hard over. It is an attempt to give the Secretary of State and the Attorney General's office some direction in the placing of names on the ballot. Currently there is no real control or guidelines or anything and the result is that candidates have been using the ballot to put on the ballot what maybe construed as being clearly deceptive names. And there isn't any manner in which we can determine whether these names are going to be accepted or not. After a lot of study and a lot of discussion within the committee, we developed this process whereby names can be placed upon the ballot and if there is a dispute the ballot law commission can decide whether to accept the name or not. We urge the Senate to support the committee motion of Ought to Pass as Amended.

SENATOR MC LANE: Senator Bass, if my name was Tax Cap Arnold how would it appear on the ballot?

SENATOR BASS: Senator McLane, it wouldn't appear on the ballot as that name because that name is clearly deceptive and it says in the committee amendment but it shall not designate a deceptive name.

SENATOR MC LANE: If my name were Barbara Goodlander, how would it appear on the ballot?

SENATOR BASS: If this bill passes and you wanted to use a different name, you would present that to the authority. For example, if you were running for the U.S. Congress in the second district, you might say put your name in and if the Secretary of State does not approve that name because it doesn't conform with the amendment, then you would appeal to the ballot law commission. And the ballot law commission decision would be final.

SENATOR MC LANE: And therefore, I could be called Betty Tam-pozi.

SENATOR BASS: That is entirely possible.

SENATOR NELSON: I notice on page 3 of the bill it talks about the checklist. Does this mean that what is in there eradicates this because there is a whole other thing about preparing the checklist and it says that you can't get your name on the checklist, you cannot give an abbreviation or a nickname. You didn't address that and I was wondering about that aspect of it?

SENATOR BASS: Senator Nelson, I don't want to cop out on your question, but the amendment amends the bill by replacing all after the enacting clause.

Amendment to HB 475

Amend the title of the bill by replacing it with the following:

AN ACT

permitting a candidate to designate the form in which his name shall be printed on the ballot and relative to the form of state general election ballots.

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Designation of Name on Ballot. Amend RSA 655 by inserting after section 14-a the following new section:

655:14-b Form of Candidate's Name on Ballot.

I. Every candidate for state or federal office who intends to have his name printed upon the ballot of any party for a primary shall designate in his declaration of candidacy, or on his primary petitions and assents to candidacy, the form in which his name shall be printed on the ballot. The candidate may designate his given, first, and middle name, the initials of his given, first, and middle name, a nickname, or any combination thereof as the form in which his name shall be printed on the ballot, but he shall not designate a deceptive name. If the candidate designates a nickname in place of or in combination with his given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately before his surname. If the candidate designates a nickname, the nickname shall be customarily related to the candidate's given name. A candidate shall include his surname in his designation of the form in which his name shall be printed on the ballot.

II. Every candidate for state or federal office who intends to have his name placed on the ballot for the state general election by means other than nomination by party primary shall designate in his declaration of intent the form in which his name shall be printed on the ballot. The candidate may designate his given, first, and middle name, the initials of his given, first, and middle name, a nickname, or any combination thereof as the form in which his name shall be printed on the ballot, but he shall not designate a deceptive name. If the candidate designates a nickname in place of or in combination with his given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately before his surname. If the candidate designates a nickname, the nickname shall be customarily related to the candidate's given name. A candidate shall include his surname in his designation of the form in which his name shall be printed on the ballot.

III. A candidate who files more than one declaration of candidacy or declaration of intent shall designate the same form of his name to appear on each such declaration. The same form of a candidate's name shall also appear on every primary petition and assent to candidacy.

IV. If the appropriate official with whom the declaration of candidacy, declaration of intent, primary petitions, or assents to candidacy are filed does not accept them and returns them to the candidate because in the opinion of the official they do not conform to the provisions of this section, the candidate may appeal to the ballot law commission as provided in RSA 665:6-b.

2 Reference Added. Amend RSA 665:6-a, II to read as follows:

II. The ballot law commission shall also meet at such other times as may be necessary as provided in RSA 655:31, RSA 665:6, II, **RSA 665:6-b**, and RSA 665:7.

3 New Section; Right to Appeal Added. Amend RSA 665 by inserting after section 6-a the following new section:

665:6-b Name on Ballot Disputes. The ballot law commission shall hear and determine all disputes arising over the form of his name which a candidate designates to be printed on the state primary and state general election ballot, as provided in RSA 655:14-b. The decision of the ballot law commission shall be final as to questions of both law and fact, and no court shall have jurisdiction to review the decision.

4 Domicile Requirement Removed from General Election Ballots. Amend RSA 656:4 to read as follows:

656:4 Name [and Domicile]. Every state general election ballot shall contain the name [and domicile] of each candidate who has been nominated in accordance with the election laws, except as hereinafter provided, and shall contain no other name except party appellations. The names and addresses of the presidential electors shall not be printed on the ballot; but, in lieu thereof, the names of a party's candidates for president and vice-president shall be printed thereon under the designation for "President and Vice-President of the United States". If a nomination has been made by nomination papers, the words "Nom. Papers" shall be added to the name of the political party.

5 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill permits every candidate for state or federal office to designate the form in which his name shall be printed on state primary and general election ballots. The candidate may designate his given, first, and middle name, the initials of his given, first, and middle name, his nickname, or any combination thereof, as long as the candidate does not designate a deceptive name.

Candidates may appeal to the ballot law commission over disputes concerning the form of the name which the candidate designates to be printed on the ballot.

The bill also removes the requirement that state general election ballots must contain the domicile of each candidate.

Amendment adopted. Ordered to Third Reading.

HB 503, relative to business and voluntary corporations.

Ought to Pass with Amendment. Senator McLane for the committee.

SENATOR MC LANE: This bill was introduced at the request of the Secretary of State. Briefly, the bill corrects several obsolete pro-

visions in the statute governing non-profit business corporations, including removing an obsolete reference to decennial returns.

SENATOR BASS: Senator McLane, I was wondering if you could run over the amendment very quickly. What does the amendment do?

SENATOR MC LANE: The amendment deletes a reference to a repealed chapter. It removes the obsolete reference to decennial returns and repeals a provision relating to filing of articles of amendments in the business and voluntary corporations law.

Amendment to HB 503

Amend the title of the bill by replacing it with the following:

AN ACT

relative to business and voluntary corporations and reinstating
the charters of S.P.B., Inc. and Jefferson,
Currier & Company, Inc.

Amend the bill by replacing all after section 3 with the following:

4 Reinstatement of S.P.B., Inc. The charter of S.P.B., Inc. of Seabrook, New Hampshire, was forfeited on October 31, 1984, under RSA 293-A:95, I(a). Upon payment of any fees in arrears plus a reinstatement fee of \$50 and the filing with the secretary of state of any annual returns required by law, S.P.B., Inc. shall be hereby reinstated for all purposes as a New Hampshire corporation, and this reinstatement shall be retroactive to October 31, 1984.

5 Reinstatement of Jefferson, Currier & Company, Inc. The charter of Jefferson, Currier & Company, Inc., of Manchester, New Hampshire, incorporated on March 13, 1984, was forfeited on November 1, 1988, under RSA 293-A:95, I(a). Upon payment of any fees in arrears plus a reinstatement fee of \$50 and by filing with the secretary of state any annual reports required by law, Jefferson, Currier & Company, Inc., shall be hereby reinstated for all purposes as a New Hampshire corporation, and this reinstatement shall be retroactive to November 1, 1988.

6 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill deletes a reference to a repealed chapter, removes an obsolete reference to decennial returns, and repeals a provision relating to filing of articles of amendment in the business and voluntary corporations law.

This bill reinstates the charter of S.P.B., Inc. retroactive to October 31, 1984.

This bill also reinstates the charter of Jefferson, Currier & Company, Inc. retroactive to November 1, 1988.

Amendment adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Bartlett in the chair.

Senator Torr moved to remove HB 578 from the table

Adopted.

Senator Torr offered a floor amendment.

SENATOR TORR: What the amendment does is change some figures from the original bill. The House figure in the original bill was \$2 million, you now have a cap of \$750,000. By the original bill, the excess would have gone to police standards and training council. The excess in the amendment would go to the general fund.

Floor Amendment to HB 578-FN

Amend the bill by replacing section 1 with the following:

1 Victims' Assistance Fund. RSA 6:12, I(aa) is repealed and reenacted to read as follows:

(aa) The assessments collected under RSA 188-F:31 which shall be credited to the victims' assistance fund until that fund exceeds \$750,000, at which time moneys in excess of \$750,000 shall be credited to the general fund.

Amendment adopted. Ordered to Third Reading.

Senator Bond moved to remove HB 606, relative to approvable plans for solid waste management districts from the table.

Adopted.

Committee report Ought to Pass with Amendment.

SENATOR BOND: The committee reported out HB 606 as amended. The amendment you will find on page 9 of the last calendar. What this does is it moves out the date of cut off for solid waste plans to be submitted from October 1 to January 1. It must be an approvable plan, not just a plan, one that contains information required by rule from the Department. It also requires of the Department of Environmental Services a report. The content you will find

on the bottom of 9 and the top of 10, it breaks down the thirteen different items they have to cover and changes the schedule for the updating of reports to filing five year updates to the Governor, the President of the Senate and the Speaker of the House.

Amendment to HB 606-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Approvable Plans. Amend RSA 149-M:18, IV to read as follows:

IV. Each district shall, by [October 1, 1989] **January 1, 1990**, prepare [a] **an “approvable”** solid waste management plan which is consistent with the state plan and demonstrates consideration of existing solid waste agreements and environmental and economic factors in the area. **An “approvable” plan is one which contains information required by rule, in a form and with sufficient detail to demonstrate compliance with this provision. The plan shall include information regarding availability and use of capital reserve funds or alternative funding and shall specify available and projected dollar amounts. The plan shall also specify materials excluded or to be excluded from landfill or incinerator disposal and the date such exclusions became or are to become effective.** The district shall submit the proposed solid waste management plan to the division of waste management and shall submit **any changes and required** periodic reports to the division of waste management [as required]. **The department of environmental services shall review and provide written notice to the district within 120 days from the date the plan is received by the division. The written notice shall state whether or not the department approves the plan or any portion thereof and, if the department does not approve the plan or any portion thereof, the notice shall detail the specific deficiencies in the district plan.** If a district has not filed [a] **an “approvable”** solid waste disposal plan with the division by [October 1, 1989] **January 1, 1990**, but has submitted a plan, the district may amend or change the submitted plan until **January 1, 1990. Thereafter**, the state, through the division, [shall] **will** develop [a plan for that district. Upon completion of such plan, the state shall assess the district 125 percent of the costs of development of the plan, which assessment shall be paid to the state by the district within 6 months of the development of such plan] **or will provide for the development of a district plan, which will conform with the plan requirements specified in RSA 149-M:19, for any district without an approvable plan. Such district shall be assessed the cost of development of any plan or portion thereof,**

which may include an amount for administrative costs not exceeding 10 percent of the direct development expenses. The assessment shall be paid to the state within 6 months from the date that the plan or portion to which it applies is approved.

2 Department Report. The commissioner of the department of environmental services shall file with the governor, the president of the senate, and the speaker of the house, a comprehensive department report on or before December 31, 1989. The report shall include present and projected goals and objectives of the department and each division of the department for a 5-year period. The report shall include a comprehensive summary of how each division is implementing its statutory responsibilities, including the standards and criteria established for administration of its duties, and shall further include, but not be limited to a review of the following areas:

I. How each division is currently implementing statutory responsibilities.

II. A list of all criteria considered when reviewing information submitted for approval, certification, permits, registration, or otherwise required by law to be submitted to the department.

III. Each division's process for handling application information or applications submitted to that division for review or approval and the average time of processing each type of application.

IV. Details of the criteria and enforcement procedures regarding all monitoring, investigation, and enforcement responsibilities for each division and current enforcement and violation records.

V. A list of established and recommended standards for landfill closure and division procedures for enforcement.

VI. Any anticipated or recommended expansion of each division's responsibilities.

VII. Detailed projections with summary job descriptions for present and anticipated staffing and personnel needs based on current and projected responsibilities.

VIII. Detailed projections for present and anticipated physical plant, laboratory, or equipment needs.

IX. Anticipated budget projections based on current and anticipated responsibilities.

X. Interaction with other state agencies in carrying out current and anticipated responsibilities, with recommendations for addressing any existing or potential conflicts and for clarifying any unclear lines of authority.

XI. Detailed requirements and criteria considered and recommended for siting all facilities regulated by the department.

XII. Review of present state air emission standards, current enforcement policy and enforcement record.

XIII. Review of present state water standards, current enforcement policy and enforcement record.

3 Updated Reports. The department shall perform biennial reviews of the department report and shall file updates as appropriate with the governor; the president of the senate, and the speaker of the house. The commissioner shall file 5-year updates with the governor; senate president and the speaker of the house.

4 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

Under present law, each solid waste district is required to submit a district solid waste management plan to the division of waste management by October 1, 1989. Each district which fails to file a plan by the deadline date will pay the assessment on a plan developed for that district by the division of waste management.

This bill requires that the district plans submitted for review be "approvable" in form, content, and detail as established by rule. Plans shall include information regarding capital funding and materials to be excluded from disposal. Plans submitted which do not meet the approvable standard may be rejected by the division of waste management. Districts may amend the proposed plans until January 1, 1990. The division will develop plans for districts that fail to submit "approvable" proposed plans by the deadline.

The division must review submitted plans and give notice of acceptance or deficiency within 120 days from receipt.

The bill requires the department of environmental services to submit a comprehensive report, updated as necessary, on the manner in which each division is implementing its statutory responsibilities, together with its 5-year projections.

Amendment adopted. Ordered to Third Reading.

Senator Bond moved to remove HB 722, regarding solid waste management districts from the table.

Adopted.

Committee report Ought to Pass with Amendment.

SENATOR BOND: HB 722 as amended is a bill that was put together by the House and Senate committee and the Governor's office. It deals with the aspect of solid waste and changes the way in which towns may leave solid waste districts. It is now possible with this legislation for a single town to have a solid waste district. On page 11 of the calendar it defines how a town goes about removing itself from a solid waste district. Its implementation is 60 days after

receipt of notice the town must implement its plan or appeal it. It has a new public benefit section which specifies that the applicant must demonstrate the proposed facility for a solid waste treatment facility will meet certain regulations of the solid waste district and be subject to state approval.

SENATOR KING: Senator Bond, I received a lot of mail on this particular bill from individuals who are concerned that it placed incineration as high on the priority list as recycling for the disposal of solid wastes. And I would just like to have you respond to that issue, if you would?

SENATOR BOND: I would be happy to, Senator King. The reaction from the public to HB 722 was really to the bill before it was amended in the Senate and after it was amended, incineration was provided for, but clearly recycling is the intent of the legislation. To go into an incinerating system requires not only that the local district approve of your disposal plan but that the State approve that local district plan. It is not an easy and automatic thing for somebody to set up an incinerating system under this bill.

SENATOR NELSON: Senator Bond, the amended analysis, on page 12, how does this bill fit in with the other bill that we just passed?

SENATOR BOND: The other bill discusses the plans and this discusses districts, cooperative districts and the date.

SENATOR NELSON: Senator Bond, where is the impetus for this bill? From where does it come, who is initiating this bill?

SENATOR BOND: Senator Nelson, there were 57 bills put in in this session. The impetus for them is that on October 1, as the statute stands right now, all municipalities in the state must have a solid waste plan to present to the State of New Hampshire. Suddenly everybody is faced with the reality that they have known about for about six years and it became necessary to sit down and hone this thing down and this is really a major first step in developing a solid waste plan for the state. This is not the final plan by any means. But this is putting in place a program for developing plans and starting solid waste cooperative efforts.

SENATOR JOHNSON: Senator Bond, could you show me or refer me to the appropriate section that places the emphasis on recycling instead of incineration, because I know that is a major concern that I have.

SENATOR BOND: Small b third paragraph from the bottom on page 11, "the applicant demonstrates that operation of the proposed facility will be consistent with existing programs to promote recycling and other source production methods prior to treatment or disposal by the proposed facility". In other words, when they are reviewing a plan they have to see that recycling is a primary effort. I would tie this in also with SB 156 which passed the House today in a slightly amended form which provides a financial incentive to districts that establish recycling programs.

SENATOR DISNARD: Senator Bond, question on the date. Your 606 changed the date from October to January. And 722 and 606 refer to each other. Should the date in 722 also be changed from October to January?

SENATOR BOND: No, Senator Disnard, in 606 the date refers to the date on which an approvable plan is submitted to the State for the district. On 722 it is when the towns are in the district. So you have three months from the finalization for the district to have your approvable plan in. I would add to that that you have 60 days for approval from the Department and they have 120 days to give notice of acceptance or deficiency. So in fact that January 1 date can become 180 days later.

Amendment to HB 722-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Conditions Required for Withdrawal. Amend RSA 149-M:18, I to read as follows:

I. Each town shall participate in a solid waste management district. Districts formed by area towns shall be the basis for developing a district solid waste management plan. Subdistricts may be formed whose plans will be included in the district plan for purposes of implementation. **For purposes of solid waste recycling or waste disposal a single town may form a district or subdistrict.** All subdistricts and districts must receive final approval by the division of waste management, but approval of subdistricts and districts formed by towns shall not be withheld unless it can be demonstrated that the subdistrict or district does not serve to promote area planning for and cooperative efforts in solid waste management in an environmentally sound and economic manner. In the event formation of a district has not been initiated by October 1, 1989, the division of waste management shall complete formation of districts

using criteria included in the state plan, existing and proposed solid waste agreements and other related information that may be provided. **After October 1, 1989, each town, whether it has entered into a district voluntarily or has been assigned to a district, shall remain in such district in order to participate in a solid waste management plan pursuant to RSA 149-M:18, IV and may withdraw from that district only after the town has:**

(a) Obtained approval by a majority vote of district committee members of the solid waste management district or cooperative of which the municipality is currently a member.

(b) Paid its proportionate equitable share of the district expense and debt, including long-term debt incurred by the district.

(c) Obtained the approval of the regional refuse disposal district or cooperative it proposes to join.

2 New Paragraph; Districts. Amend RSA 149-M:18 by inserting after paragraph I the following new paragraph:

I-a. A town may be exempted from the requirements of RSA 149-M:18, I, (a), (b), or (c) by appealing to the solid waste management council, pursuant to RSA 21-O:9, VII; or from the requirements of RSA 149-M:18, I(a) and (c) with respect to a specific type or types of solid waste if before January 1, 1990, it has provided or assured long term access for such waste to any solid waste facility which has obtained or applied for a permit under the provisions of this chapter or allowed by rules adopted by the department.

3 New Paragraph; Appeals from District Committee. Amend RSA 21-O:9 by inserting after paragraph VI the following new paragraph:

VII. The solid waste management council shall hear and decide appeals from decisions of solid waste management district committees regarding a town's request to change from one regional refuse disposal district to another, pursuant to RSA 149-M:18, I-a.

4 New Subparagraph; Legal Responsibilities. Amend RSA 149-M:19, I by inserting after subparagraph (e) the following new subparagraph:

(f) Identify the means, which shall be either contractual agreement or formal interlocal cooperative agreement under RSA 53-A or 53-B, by which district members shall develop, construct, operate or otherwise implement the solid waste management methods described in the plan.

5 Implementation Required. Amend RSA 149-M:19, II to read as follows:

II. Each plan shall be reviewed and commented upon by the division of waste management. The division of waste management, district or a town may request a hearing on the plan as submitted. The division of waste management may approve, require modification of, or disapprove of any plan **with cause stated** and shall finally act

upon each plan within [60] 120 days of submission. Within 60 days after receipt of written notice of approval of the plan by the division, the district and each town therein shall begin implementing the plan.

6 Public Benefit. Amend RSA 149-M:10, II to read as follows:

II. Applications for permits shall be upon such forms and shall include such information as the division of waste management requires by rules adopted under RSA 149-M:8. The application information shall include, but not be limited to, a performance history of the applicant and of its officers and directors relative to the operation, financial security, and ownership of all facilities owned or operated by the applicant. Whenever requested by the division of waste management, the attorney general shall conduct a background investigation of the performance history and criminal record of the applicant and of its officers and directors, if any, and make a report to the division of waste management. The applicant shall also [submit a statement] demonstrate that the proposed facility [is consistent with the provisions of a district plan] provides a substantial public benefit pursuant to RSA 149-M:10, II-a.

7 New Paragraph; Public Benefit. Amend RSA 149-M:10 by inserting after paragraph II the following new paragraph:

II-a. The division of waste management shall find that a proposed facility provides a substantial public benefit when:

(a) The applicant demonstrates that the proposed facility is consistent with and will serve to satisfy the capacity needs identified in the state solid waste management plan and one or more solid waste management plans submitted to and approved by the division of waste management pursuant to RSA 149-M:18. Such a finding shall include the determination that the design, location, and operation of the proposed facility will meet the capacity needs identified in such plan or plans;

(b) The applicant demonstrates that operation of the proposed facility will be consistent with existing programs to promote recycling and other source reduction methods, prior to treatment or disposal by the proposed facility.

8 New Section; Process for Plan Review. Amend RSA 149-M by inserting after section 10 the following new section:

149-M:10-a Process for Permit Application Review. In processing applications for a permit under this section the division shall comply with time limits prescribed in RSA 541-A:14.

9 New Section; Solid Waste Regional Cooperatives. Amend RSA 149-M by inserting after section 21 the following new section:

149-M:22 Solid Waste Regional Cooperatives. The state shall encourage towns to form regional private cooperatives to share costs of

construction for or use of large scale regional facilities for the disposal of non-recyclable solid waste. The cooperatives which appoint administrative directors may receive technical assistance, educational resources, and planning assistance through application to the division of waste management.

10 New Paragraph. Amend RSA 149-M:3 by inserting after paragraph IV the following new paragraph:

IV-a. Regulate the closure of all solid waste facilities by establishing closure standards and through administration of a permit system.

11 New Subparagraph. Amend RSA 149-M:8, IV by inserting after subparagraph (g) the following new subparagraph:

(h) Establish minimum standards for closing all solid waste facilities according to type of waste disposed of, and establish state closure guidelines for all facility owners and operators which shall include, but not be limited to, monitoring, restoration, and correction and compliance procedures which may be necessary in the maintenance of a closed landfill facility.

12 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill requires towns which are currently in a solid waste management district on July 1, 1989, to remain in such district in order to comply with the October 1, 1989, deadline for filing solid waste plans. Towns may change from one district to another by meeting established financial obligations and obtaining district approval.

The bill also requires towns and districts whose plans are approved by the division of waste management to begin implementing the plan within 60 days of approval.

The bill encourages solid waste regional cooperatives for large scale disposal of non-recyclables by providing assistance to cooperatives which appoint administrative directors.

The bill provides the division of waste management with the responsibility of regulating landfill closure, setting minimum standards and guidelines for closure and monitoring, and administering a permit system for closure.

Amendment adopted. Ordered to Third Reading.

NOTICE OF RECONSIDERATION

Senator Preston moved reconsideration of HB 103 relative to motor vehicle laws.

Adopted.

Committee report Ought to Pass.

Adopted. Referred to Finance (Rule #24).

Finance Committee Report Ought to Pass. Senator Dupont for the committee.

SENATOR DUPONT: There were some questions about the bill, as passed last Thursday. We have had an opportunity to review it with the LBA office and he has assured us that the action that we took was appropriate. So we urge the Senate to support Ought to Pass.

Adopted. Ordered to Third Reading.

Senator McLane moved to remove HB 45 from the table.
Adopted.

Committee report Ought to Pass with Amendment. Senator McLane for the committee.

SENATOR MC LANE: This is the child restraint bill for children up to 12 years of age we passed overwhelmingly about two months ago. The history of the bill is that Senator Hough and myself and several house members had one bill which is exactly the same as the amended version before you. The House sent this over to us which passed in the middle and unfortunately the House has killed our bill. But I believe that this issue is more important than the personalities of the players in this and that the issue of child restraint, which as I say we passed overwhelmingly, is one that is so important to young children in New Hampshire that we must pass this bill and get it to the governor. So I would urge your support for HB 45 knowing that it is the same as the Senate version.

Adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Blaisdell moved that the rules of the Senate be so far suspended as to allow the introduction of bills not previously listed in the calendar.

HB 84-FN, relative to employees of political subdivisions purchasing creditable service in the New Hampshire retirement system.

HB 595-FN, to permit teachers who relocate to New Hampshire to purchase their out-of-state service as creditable service in the New Hampshire retirement system.

HB 622-FN, relative to vested deferred retirement benefits for group I members.

HB 579-FN, permitting certain policemen and firemen to join the New Hampshire retirement system.

Adopted. (2/3 vote)

HB 84-FN, relative to employees of political subdivisions purchasing creditable service in the New Hampshire retirement system.

Ought to Pass. Senator Delahunty for the Committee.

SENATOR DELAHUNTY: The Senate Finance Committee reviewed the legislation HB 84-FN and agrees with the Senate vote and the committee report is Ought to Pass.

Adopted. Ordered to Third Reading.

HB 595-FN, to permit teachers who relocate to New Hampshire to purchase their out-of-state service as creditable service in the New Hampshire retirement system.

Ought to Pass. Senator Delahunty for the committee .

SENATOR DELAHUNTY: Senate Finance reviewed HB 595-FN and found that it has no fiscal impact. The individual teachers will pay the cost of buying the service and we urge your support on Ought to Pass.

Adopted. Ordered to Third Reading.

HB 622-FN, relative to vested deferred retirement benefits for group I members.

Ought to Pass. Senator Delahunty for the committee.

SENATOR DELAHUNTY: The Senate Finance Committee reviewed HB 622-FN and recognized the \$220,000 fiscal impact agrees with the previous Senate vote and recommends Ought to Pass.

Adopted. Ordered to Third Reading.

HB 579-FN, permitting certain policemen and firemen to join the New Hampshire retirement system.

Ought to Pass. Senator Delahunty for the committee.

SENATOR DELAHUNTY: Senate Finance reviewed HB 579-FN and found it had no fiscal impact and the individuals concerned are currently covered. It clarifies the law and repeals unnecessary statutes. We recommend Ought to Pass.

Adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Freese moved that the rules of the Senate be so far suspended as to allow the introduction of committee reports not previously listed in the calendar.

HB 350, relative to the unclassified personnel system and making an appropriation for a consultant fee.

HB 250, relative to the classified personnel system.

HB 109, relative to physicians and dentists in the department of health and human services and the department of corrections.

Adopted. (2/3 vote)

HB 350, relative to the unclassified personnel system and making an appropriation for a consultant fee.

Committee report Rereferred. Senator Johnson for the committee.

SENATOR JOHNSON: The Executive Departments Committee heard four and a half hours of testimony on HB 350. The sponsors and the consultant who did the study supported the bill. The bill had as its main purpose the establishment of a qualifications matrix after which judgments were made as to where each unclassified position should be placed. The bill also reduced the number of unclassified letter categories from 12 to 9. Given the nature of these appointments, primarily political, it would be unrealistic to expect agreement and satisfaction with any proposed arrangement unless everybody was at the top. It should also be mentioned that a number of changes have been made as the bill traveled through the House committee. During the hearing, serious objections were raised in regard to insurance, education, securities and banking. Committee members noted a number of exceptions to the concepts being advocated by the consultant. For example, the senior person should receive the highest salary. One member questioned the Commissioner of Post-Secondary Education being on a par with the Commissioner of Education. Some of you may remember when this position was one of five directors in the Department of Education. One member questioned the executive director of the liquor commission being in the same grade as the state treasurer and the secretary of state. The committee realized that time did not permit these apparent inconsistencies to be fully evaluated and corrected. The committee also recognized that a good deal of valuable work has been done in regards to HB 350. It is for these reasons that the committee recommendation is to re-refer the bill to committee to give this bill the time it

deserves and the other aspect of it is there would have been a fiscal impact in the coming biennium of \$365,683. The committee recommendation is to re-refer this bill.

Adopted.

HB 250, relative to the classified personnel system.

Committee report Rereferred. Senator Currier for the committee.

SENATOR CURRIER: This bill had another extensive hearing and the committee basically wanted to take a look at this particular bill in the same light that we were going to in regard to 350 because of the previously stated changes that have been made in the House amendment. And the fact over the concern of the matrix system and everything else. There is a direct correlation with the matrix system in this bill and the unclassified bill to the point where there may be department heads actually earning less than other members in the classified system. We decided it would be in the best interest of all concerned if we took a look at these bills together and that is why we are asking that these bills be re-referred to committee.

SENATOR NELSON: Senator Currier, it is my understanding that there was a task force established with people from around the state who worked on these particular pieces of legislation. And is it my understanding now that after all this work that these two pieces are just not acceptable, even though we have pilot programs in the state that are already in place?

SENATOR CURRIER: That is true, Senator. Basically, the task force never made any actual recommendations on HB 250 with regard to the matrix that is in the bill. They never took a formal vote on it. But with regards to the amount of money that has been spent in the process of reviewing this, we think the system with regards to the way the matrix with regards to 350 is a very valid thing. However, there were value judgments that were placed in the system already even before this implementation to the point where I believe it was the banking commissioner and the liquor commissioner and others that were shifted all over the place and rather than kill the bill, which was our initial intention, we all agreed that the bill has a lot of merit in terms of the system that it puts in place. And we wanted an opportunity to work diligently on it.

SENATOR NELSON: So now what we are going to do, we have a whole team who studied this bill. They make recommendations to implement, now what I understand is that we are going to send it back to a legislative committee who is going to look at it again. And it is just a legislative committee made up of Senators?

SENATOR CURRIER: We are re-referring it the Executive Departments Committee, Senator. We will review it and come out and solve some of the problems that we have with the bill and come forward with it in 1990.

SENATOR DISNARD: Part of the problem, as a member of the Executive Committee, that reviewed this yesterday, suggestions of the panel were not adhered to and there were some changes made it as we understood during testimony without the approval or the opinion of the panel. And that is one reason why some voted not to pass it regardless of what the amendment analysis says.

Adopted.

HB 109, relative to physicians and dentists in the department of health and human services and the department of corrections. Ought to Pass. Senator Stephen for the committee.

SENATOR STEPHEN: Basically, this is switching of people from the classified to unclassified system because of the market condition. It is also a fairness and consistency issue. State employees such as doctors, dentists in three areas such as the state hospital, prison system and the department of health and human services are affected. Because there is potential for some dollars involved we should have the Senate Finance look at this.

SENATOR DUPONT: A little bit earlier we dealt with two bills that studied the classified and the unclassified personnel system. We re-referred both of those bills to the next session because of a certain amount of controversy that has resulted from our look at the classified and the unclassified system. I stand here a little concerned that right after doing that and not having clear definition of what is going to happen to both the classified and unclassified system, we've got a piece of legislation now in front of us that is putting people into the unclassified system that are currently classified. And I would urge the Senate perhaps to take this piece of legislation and vote it Inexpedient to Legislate understanding that as the re-referred process goes on, the committee that is going to be looking at both of those bills can perhaps accommodate what this bill is trying to do without moving more people into the unclassified positions, which really were designed for supervisory, and these people are not supervisory personnel.

SENATOR BLAISDELL: It says if you pass this bill it is going to come to Senate Finance. If it comes to Senate Finance, I am going to bring it back up with the same report as Senator Dupont has just

spoken to, as Inexpedient to Legislate. It is going to save us some time. I really think that that is what we should do. That would be the report from Finance.

Motion Failed.

Senator Dupont moved to substitute Inexpedient to Legislate.

Adopted.

COMMITTEE REPORTS

HB 101-FN, relative to budgetary transfer authority of the department of health and human services.

Ought to Pass. Senator Hough for the committee.

Senator Hough offered a floor amendment.

SENATOR HOUGH: I would like to move the floor amendment that is now being passed out. And while it is being passed out I would simply tell you that you will see that the amendment continues the transfer authority by fiscal and governor and council approval under RSA 99:4 which is the class 10 and class 50 accounts. And this is the procedure that has been used by the mental health delivery system during its deinstitutionalization over the last number of bienniums. What the amendment does now is just confine this transfer authority to the Laconia Developmental Services. We will have our new diagnostic hospital opened in July, the staffing patterns are in place, the legislature will be back here in January to make mid-course corrections. The ability to provide for over-time will be also within the New Hampshire Hospital budget and the agency assures us that they can proceed without that transfer authority and live within their appropriation by line with the exception of Laconia and that institution is still in a mode of seeing the dollars follow the patients back to the local community service and the fiscal committee would continue to allow them and them alone the transfer authority.

SENATOR KRASKER: Senator Hough, it was my understanding that there was transfer authority within the budget for mental health. Are you saying that this extends it to Laconia Developmental Services?

SENATOR HOUGH: Senator Krasker, in the present biennium and the preceeding biennium, there were provisions outside the department in the so-called trailer bills that allowed for transfer authority in mental health. We are continuing that by this legislation but only for Laconia. We have funded the grant level under mental health and the staffing pattern of the hospital.

Floor Amendment to HB 101-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Extension of Authority; Authority to Transfer. Notwithstanding any other provision of law, including the provisions of RSA 99:4 and RSA 9:17-a through 17-c or any general transfer authority for departments as defined in RSA 9:1 provided in the general appropriations bill or other law, during the biennium ending June 30, 1991, the commissioner of health and human services is hereby authorized, with the prior approval of the fiscal committee and governor and council, to make such transfers to and within the components, sub-components and classes of Laconia developmental services, within the program appropriation unit of the division of mental health and developmental services, as he shall deem necessary and appropriate.

2 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill provides that, during the biennium ending June 30, 1991, the commissioner of health and human services is authorized, with the prior approval of the fiscal committee and governor and council, to make such transfers to and within the Laconia developmental services components, subcomponents and classes within the department's mental health and developmental services program appropriation unit as he shall deem necessary and appropriate.

Amendment adopted. Ordered to Third Reading.

Senator King moved to recall HB 661 from Enrolled Bills.
Adopted.

Senator King offered a floor amendment.

SENATOR KING: HB 661 was a bill that the Senate passed about a week ago that requires notification to downstream communities if there is any kind of a discharge into the river that is in excess of any kind of permit applications that have been made previously. There was a fiscal note attached to that of \$30,000 and apparently the Department of Environmental Services contacted Representative Maviglio, who was the sponsor of this, and suggested to him that with a minor change requiring the person who actually discharged the effluent or the company who discharged the effluent to contact those communities that we could save \$30,000. So this bill merely says that if there is a violation of effluent limitations that the com-

pany or person is responsible for contacting the selectmen or the conservation commissions and it is a savings of a significant amount of money.

SENATOR DISNARD: What is the penalty attached if an industry fails to do this or does not wish to warn? What is the situation then?

SENATOR KING: Senator Disnard, I am afraid that I can't answer that question. I am assuming that the DevRec committee dealt with that question in their policy making and that this change was merely to try and save the state some money. And Senator Bond, who concurred with this amendment, unfortunately is not here now.

SENATOR DISNARD: Would you believe that I get nervous when the DES says they are going to save money but there is no guarantee that the citizens would be protected?

SENATOR KING: I would certainly believe that, Senator Disnard, but it is my understanding that in this law that they are still going to be responsive. That the same basic actions will be taken with the communities that are within 25 air miles of the effluent discharge and the onus will be on those people who violated that and not on the Department.

SENATOR DISNARD: Would you believe that I heard Exxon say that many times?

SENATOR KING: I have basically addressed the issue of the amendment already, so I would move that we would pass the amendment and move on.

Floor Amendment to HB 661-FN

Amend the bill by replacing all after the enacting clause with the following:

1 New Paragraph; Duties of Division of Water Supply and Pollution Control. Amend RSA 149:4 by inserting after paragraph XVIII the following new paragraph:

XIX. To give notice by first-class mail to the selectmen or conservation commission of all municipalities located within 25 air miles downstream of any point of discharge or point of potential discharge when an application is made for a new permit or when a permit is renewed by the division. If there is no conservation commission in a city to be notified, the notice shall be sent to the city clerk.

2 New Subparagraph; Notice to Municipalities. Amend RSA 149:8, III by inserting after subparagraph (b) the following new subparagraph:

(c) Any person responsible for a violation of effluent limitations established by a permit issued under subparagraph (a) shall be responsible for giving prompt notice by first-class mail to the selectmen or conservation commission of all municipalities located within 25 air miles downstream of the point of discharge which is the basis for the violation. If there is no conservation commission in a city to be notified, the notice shall be sent to the city clerk.

3 The director of the division of water supply and pollution control shall prepare and file a report with the president of the senate and the speaker of the house on or before September 30, 1989, making recommendations for legislation establishing downstream emergency notification procedures in the event of sewage system failures which may result in discharge.

4 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill requires the division of water supply and pollution control, department of environmental services, to give notice to downstream municipalities of any point of discharge or potential discharge when a permit is given or renewed.

Any person responsible for a violation of effluent limitations must give notice to downstream municipalities within 25 air miles of the discharge.

The bill also requires the division to submit a report on proposed emergency procedures for sewage system failures.
Amendment adopted. Ordered to Third Reading.

HOUSE MESSAGE

HOUSE REQUESTS CONCURRENCE

The House of Representatives, under rules suspension, has passed a Bill with the following title, the passage of which it asks the concurrence of the Senate.

HB 766-FN-A, making supplemental appropriations for flood control and relative to the calculation of flood control reimbursements.

SUSPENSION OF THE RULES

Senator Blaisdell moved that the rules of the Senate be so far suspended as to dispense with the reference to the Committee, the holding of a hearing, the notice of report in the calendar and the bill be put on Second Reading at the present time.

Adopted. (2/3 votes)

HB 766-FN-A, making a supplemental appropriations for flood control and relative to the calculation of flood control reimbursements. Ought to Pass. Senator Currier for the committee.

Senator Currier offered a floor amendment.

SENATOR CURRIER: Basically, what the problem here is, is that a House bill that has come through the Senate and passed on through the enrolled bills committee and is now on the way to the governor had omitted some flood control money that was due to eighteen different communities totaling the amount of money at \$294,840. There are some problems with HB 766 and I have an amendment coming forward to change the effective date to June 17, 1989 for the purpose of having a committee of conference on this bill so that we can deal with the technical problems with the bill. HB 119, which we have already passed and is on the way to the governor's office for signature, has some conflicting language in it as does this bill. So what we need to do is have a committee of conference to deal with it and I would urge that we pass on this bill Ought to Pass with Amendment.

Floor Amendment to HB 766-FN-A

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect June 17, 1989, at 12:01 a.m.

Amendment Adopted. Ordered to Third Reading.

ENROLLED BILLS AMENDMENTS

Enrolled Bill Amendment to SB 174-FN

Amend RSA 313-A:10, II as inserted by section 14 of the bill by replacing line 1 with the following:

II. An applicant not meeting the conditions of RSA 313-A:10, I(b)
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a citation error and I urge the full Senate's approval of the Enrolled Bill amendment.

Adopted.

Enrolled Bill Amendment to SB 18

Amend section 7 of the bill by replacing line 5 with the following:
the director of the division of forests and lands. Any regularly paid

Amend section 7 of the bill by replacing lines 8-10 with the following:

division of forests and lands on any state or municipal forestry work or other public work, when in the judgment of the director of the division of forests and lands the safety of woodlands is not endangered thereby.

Amend section 8 of the bill by replacing line 8 with the following:
of the division of forests and lands, or the commissioner of resources

Amend section 9 of the bill by replacing line 4 with the following:
located or to the director of the division of forests and lands,

Amend section 10 of the bill by replacing lines 4 and 5 with the following:

violated, he shall so report to the director of the division of forests and lands, department of resources and economic development stating all

Amend section 12 of the bill by replacing lines 4 and 5 with the following:

or elsewhere when so directed by the director of the division of forests and lands or his authorized agent, and either of them may call such

Amend section 14 of the bill by replacing line 3 with the following:
director of the division of forests and lands may establish, at
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a technical error in the bill in the name of the Division of Forests and Lands, formerly known as the Division of Resources Development. We urge your acceptance.

Adopted.

Enrolled Bill Amendment to HB 210-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

relative to improvements in fire protection for the state house,
phase II and III and making an appropriation therefor.

Senator Currier for the committee.

SENATOR CURRIER: This enrolled bill amendment corrects the title of the bill.

Enrolled Bill Amendment to HB 28

Amend the bill by replacing all after section 1 with the following:

2 Contingency; Renumbering. If HB 207, "An act prohibiting the use and operation of petroleum-powered boats on Waukeena Lake in the town of Danbury" becomes law, RSA 486:38 as inserted by section 1 of this act shall be renumbered to read as 486:40. If any other act of the 1989 regular session of the general court which contains an amendment to RSA 486 which inserts any new section into the chapter becomes law, the director of legislative services is authorized to make any technical changes to the numbering in any bill sections or RSA sections inserted by such act as necessary to conform said sections to proper bill or RSA format. Any such changes shall be subject to the approval of the president of the senate and the speaker of the house of representatives. The authority granted under this section shall not include the power to make any substantive changes and shall expire upon the printing of the 1989 session laws.

Senator Currier for the committee.

SENATOR CURRIER: This amendment inserts contingency provision in the bill granting the director of legislative service the authority to renumber RSA sections and makes technical changes in numbering in any bill passed in the 1989 legislative session which inserts new sections in RSA 486.

Adopted.

Adopted.

ENROLLED BILLS REPORT

HB 91, relative to the New Hampshire technical institute and vocational-technical colleges.

HB 112, relative to enforcing the boating laws.

HB 138, providing for a supported employment program and for an independent living program.

HB 145, relative to children and youth services.

HB 178, relative to continuing the study committee reviewing the liquor laws.

HB 207, prohibiting the use and operation of petroleum-powered boats on Waukeena Lake in the town of Danbury.

HB 271, relative to fish and game license fees.

HB 324, relative to posted school zones.

HB 375, relative to long-term care insurance for the elderly.

HB 32, relative to the Hampton seawall and making an appropriation therefor.

HB 166, relative to capital projects for the department of fish and game and authorizing a maintenance and construction crew for the fish and game department and making an appropriation therefor.

HB 232, relative to authorizing the prepayment of taxes.

HB 261, relative to dog licenses.

HB 313, relative to the Carroll county attorney.

HB 323, relative to bank examinations and mutual holding company conversions.

HB 401, imposing a filing fee for registration of securities by coordination.

HB 414, relative to the sale or exchange of beneficial interests in business organization for business profits tax purposes.

HB 449, relative to civil suits against municipal officials.

HB 467, relative to discharges of mortgages.

HB 493, relative to insurance premium refunds.

HB 676, relative to the operation of OHRVs on rights-of-way.

HB 708, relative to the Free Trade Agreement between the United States and Canada.

HB 373, relative to the use of automatic telephone dialing system.

HB 748, relative to anatomical gifts accepted by medical or dental schools.

HB 40, relative to intrastate motor carriers.

HB 94, relative to pre-admission screening for nursing homes.

HB 123, relative to the office of securities regulation.

HB 175, relative to bail commissioners' fees.

HB 476, relative to holding special meetings concerning emergency expenditures for towns, village districts, and school districts.

HB 498, relative to publication of information on certain juvenile offenders.

HB 505, relative to speed limits on state roads in towns.

HB 521, regarding a state loan for the Monroe sewage treatment facility.

HB 553, relative to Wentworth-Douglass Hospital charter

HB 615, establishing a pilot program relative to medical, hospital and remedial care in workers' compensation.

HB 751, relative to state-issued bonds sold at discount.

SB 15, relative to New Hampshire hospital reimbursements for certain observations.

SB 46, relative to wage withholding for child support.

SB 49, requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program.

SB 53, relative to assessing time share interests.

SB 54, conditionally extending the date for raising of funds by the trust fund for the prevention of child abuse and neglect.

SB 120, relative to acute care.

SB 185, establishing a board of natural scientists study committee.

Senator Currier for the committee.

Adopted

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 80-FN, relative to land under the jurisdiction of the wetlands board and relative to the penalties of the wetlands board.

HB 509-FN, authorizing industrial development financing for the Manchester airport.

HB 643-FN, relative to retention and destruction of district court records, responsibility for payment of costs of court-ordered services, and taxable court costs.

HB 323, relative to payment of costs of back examinations.

SENATE NONCONCURS WITH HOUSE AMENDMENT REQUESTS COMMITTEE OF CONFERENCE

SB 67-FN, relative to regulation of excavation of sand, gravel, and construction aggregate.

Senator Torr moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Bond, Preston, Freese.

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality.

Senator Charbonneau moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Charbonneau, Johnson, Preston

SB 60, relating to recording dock permits.

Senator Preston moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Preston, Dupont, Bond.

HOUSE REQUESTS CONCURRENCE WITH AMENDMENTS

SB 195-FN-A, establishing a family support network for families caring for children or adult family members with disabilities at home and making an appropriation therefor.

Senator Krasker moved concurrence.

Adopted.

SB 14, relative to alcohol concentration tests for driving while intoxicated and other offenses.

Senator Preston moved concurrence.

Adopted.

SB 22, relative to certain forestry activities in wetlands.

Senator Bond moved concurrence.

Adopted.

SB 38-FN, relative to fireworks

Senator Preston moved concurrence.

Adopted.

SB 205-FN, relative to establishing the New Hampshire energy authority and making an appropriation therefor.

Senator Dupont moved concurrence.

Adopted.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Thursday, May 11, 1989 at 1:00 p.m..

Adopted.

LATE SESSION

THIRD READING AND FINAL PASSAGE

HB 100-A, making appropriations for capital improvements.

HB 200-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990, and June 30, 1991.

HB 56-FN-A, authorizing a collection program for unwanted pesticides in the possession of farmers and making an appropriation therefor.

HB 58-FN-A, appropriating funds for inspection of apiaries and prevention of honeybee colony contamination.

HB 96-FN-A, increasing the personal needs allowance.

HB 135-FN, relative to school administration.

HB 157-FN, relative to state ski operations at Mount Sunapee and Cannon Mountain and making an appropriation therefor.

HB 300-FN-A, relative to studying access to medical care for persons without health insurance and making an appropriation therefor.

HB 371-FN-A, relative to licensing respiratory care practitioners and making an appropriation therefore.

HB 374, relative to the Head Start program and making an appropriation therefor.

HB 396, relative to the board of examiners of nursing home administrators and to licensing nursing home administrators.

HB 410-FN-A, relative to nursing scholarships.

HB 429 relative to Medicaid expansion for low-income pregnant women and establishing a task force on low provider participation in Medicaid.

HB 433-FN-A, relative to a pool for environmental liability insurance and making an appropriation therefor.

HB 486-FN, relative to clearing land and cutting timber.

HB 518-FN, establishing a cost containment unit within the department of administrative services to administer the indigent defense eligibility and repayment program and making an appropriation therefor.

HB 42, creating a new position in the insurance department.

HB 536-FN, relative to technical changes in unemployment compensation law and to changes in the maximum weekly benefit amount.

HB 681, relative to workers' compensation.

HB 251-FN-A, establishing a committee to study methods of promoting New Hampshire businesses and products overseas and making an appropriation therefor.

HB 693-FN, relative to harbor management, leasing of submerged lands and boat registration fees.

HB 475, permitting a candidate to designate the form in which his name shall be printed on the ballot and relative to the form of state general election ballots.

HB 503, relative to business and voluntary corporations and reinstating the charters of S.P.B., Inc. and Jefferson, Currier, & Company, Inc.

HB 578, relative to victim's assistance and compensation.

HB 606, relative to approvable plans for solid waste management districts.

HB 722, regarding solid waste management districts

HB 103, relative to motor vehicle laws

HB 45, to increase the age limit relative to the motor vehicle child restraint requirement.

HB 84-FN, relative to employees of political subdivisions purchasing creditable service in the New Hampshire retirement system.

HB 595-FN, to permit teachers who relocate to New Hampshire to purchase their out-of-state service as creditable service in the New Hampshire retirement system.

HB 622-FN, relative to vested deferred retirement benefits for group I members.

HB 579-FN, permitting certain policemen and firemen to join the New Hampshire retirement system.

HB 101-FN, relative to budgetary transfer authority of the department of health and human services.

HB 661-FN, relative to notification to downstream municipalities concerning effluent discharges.

HB 766-FN-A, making a supplemental appropriation for flood control and relative to the calculation of flood control reimbursements.

Senator Dupont moved to adjourn.

Adopted.

Adjournment

May 11, 1989

The Senate met at 1:00 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we can only get so much out of a pie - no matter how you slice it! So with the Budget - some will receive and the rest will remain wanting! This is really a weighty problem. Help us, Lord!

Amen

Senator Heath led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

COMMITTEE REPORTS

HB 67, specifying the rulemaking authority of the commissioner and the directors of the department of environmental services.

Inexpedient to Legislate. Senator Freese for the committee.

(Tape inaudible)

Adopted.

HB 77-FN, relative to the pharmacy board.

Ought to Pass. Senator Delahunty for the committee.

SENATOR DELAHUNTY: Although the analysis reads differently, the changes that the bill makes in current law are for the most part housekeeping. (Tape inaudible)

Adopted. Ordered to Third Reading.

Recess.

Out of Recess.

Senator Dupont in the Chair.

HB 273-FN, authorizing the transfer of sick and annual leave and longevity credit for certain state employees.

Ought to Pass. Senator Disnard for the committee.

SENATOR DISNARD: This portion of 273 had a hearing in the Executive Departments. No opposition was offered. All the bill does is take present employees who work, for example, for Legislative Services, and transfer to the Department of Education, it just allows them to transfer their fringe benefits. In almost every instance, these people were in state service and came over to work in this building or LOB then moved back to state service. There is no cost to the state it just transfers the credits and fringe benefits that they have earned.

Senator Bartlett offered a floor amendment.

SENATOR BARTLETT: I would like to speak to the floor amendment. During every year, we deal with issues that very often deal with salaries and personnel and this year and the last year and a half, the Senate and the House committees have been studying both the classified and the unclassified systems. Tuesday this body saw fit to re-refer both 250 and 350. Those that you find on this floor amendment are members who were recommended to be increased in the unclassified bill of 350 with the exception of one. We have told these people over the current years that if they would wait until we redid the reclassification system as we did the state employees system that they would be treated fairly. I think that the confusion that has existed out there among the committee that those deputies and assistants and directors of departments should at this time receive their salary while this study is still going underway. And therefore, I propose that you adopt the amendment to HB 273-FN. It is a fair-

ness issue and I think it shows that these people should be treated properly even though the recommendations in here with the exception of one or two are those made by Pete Marwick or the House Appropriations. I reviewed it with the House leadership and they feel that they would accept, but I can't speak for them officially.

Floor Amendment to HB 273-FN

Amend the title of the bill by replacing it with the following:

AN ACT

authorizing the transfer of sick and annual leave and
longevity credit for certain state employees and
relative to certain salaries.

Amend the bill by replacing the effective date section with the following:

Salaries. Amend RSA 94:1-a, I by inserting:

I. In group K:

- (a) Assistant secretary of state
- (b) Director of risk management

II. In group M:

- (a) State archivist
- (b) Director, police standards and training council
- (c) Assistant insurance commissioner

III. In group O:

- (a) Deputy bank commissioner
- (b) Deputy secretary of state

IV. In group P:

- (a) State treasurer
- (b) Secretary of state

V. In group S:

- (a) Bank commissioner
- (b) Adjutant general
- (c) Insurance commissioner

Salaries. Amend RSA 94:1-a, I by deleting:

I. In group J:

- (a) Assistant secretary of state
- (b) State archivist

II. In group K, Director; police standards and training council.

III. In group L, Assistant insurance commissioner.

IV. In group N:

- (a) Deputy bank commissioner
- (b) Deputy secretary of state

V. In group O:

- (a) State treasurer
- (b) Secretary of state
- (c) Bank commissioner
- (d) Adjutant general

VI. In group T, Insurance commissioner.

Applicability. An incumbent whose salary range is decreased pursuant to this act shall retain his current salary and shall be eligible for all future increases as long as he remains in his current position.

Classification Change. Amend the introductory paragraph of RSA 21-I:8, II to read as follows:

II. The bureau of risk management under the supervision of [a classified administrator] **an unclassified director** of risk management, **appointed by the commissioner of administrative services, who shall be qualified by education and experience shall hold office during good behavior, be removed only as provided in RSA 4:1 and** who shall be responsible for the following functions, in accordance with applicable laws:

Incumbent. The incumbent classified director of risk management also known as the administrator of risk management on the effective date of this act shall become the unclassified director of risk management at the salary step in group K which is not less than his current classified salary.

Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill authorizes a legislative employee who transfers to the classified state service and a classified employee who becomes a legislative employee, without a break in service, to transfer full credit for accumulated sick leave and annual leave.

The bill permits all state employees to transfer their years of service from one system to another for the purposes of longevity pay.

This bill also inserts and changes the salary ranges for certain classified and unclassified state employees. The bill provides that any incumbent whose salary range is decreased shall retain his current salary with all future increases as long as he remains in his current position.

Amendment adopted. Ordered to Third Reading.

HB 394-FN-A, establishing a state energy response commission.
Ought to Pass with Amendment. Senator Currier for the committee.

SENATOR CURRIER: The amendment is on page 4 of your calendar for today. This bill establishes a study committee which shall be known as the Emergency Response Funding Study Committee to

study the means for funding the response to hazardous materials incidents and programs. The bill also deals with a few housekeeping measures dealing with hazardous materials incidents in terms of allowing the state fire marshal or his designee to assume control of the hazardous material incident under certain circumstances. The Commission of Safety also shall adopt rules under this amendment under RSA 541 for the establishment of training criteria for hazardous material incidents responder. Those people like firemen, rescue squads, ambulance services who, in fact, respond to these incidents in terms of protecting themselves so that they don't become a part of the hazard as well. I would urge the Senate to go along with the committee report.

Amendment to HB 394-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a state emergency response funding committee
and relative to hazardous materials incident response.

Amend the bill by replacing all after the enacting clause with the following:

1 Emergency Response Funding Study Committee. There is created a 10-member study committee, consisting of the following: 5 members of the business community appointed by the governor, including one representative from the New Hampshire Association of Commerce and Industry, Nashua Chamber, 2 representatives from the Business and Industry Association, and 2 members at large with emphasis on small business; one state representative appointed by the speaker of the house; one state senator appointed by the president of the senate; one representative from the office of the governor; the commissioner of the department of safety or his designee; and the director of the office of emergency management or his designee. This committee shall study a means of funding the response to hazardous materials incidents and programs, and shall ensure that all hazardous materials manufacturers, transporters, handlers and users would be treated equitably. The committee shall report its findings and recommendations to the governor on or before December 1, 1990, or not fewer than 30 days before the last day on which legislative drafting requests may be filed for the 1991 legislative session, whichever is earlier.

2 Fire Officer in Charge. RSA 154:7, II(k) is repealed and reenacted to read as follows:

(k) Upon request, to apprise the state fire marshal, or his designee, of all hazardous materials incidents and to keep him informed of the situation. The state fire marshal or his designee shall take control of a hazardous materials incident upon the request of the local fire chief or fire official in charge, or if the state fire marshal or his designee believes that the welfare of the public is not being appropriately served. Upon assuming control of a hazardous materials incident, the state fire marshal or his designee shall have all of the authority outlined in this chapter.

3 State Fire Marshal. RSA 153:4-a, III is repealed and reenacted to read as follows:

III. The state fire marshal, or his designee, shall have access to any and all incidents involving hazardous materials and shall coordinate the activities of state services during a hazardous materials incident. The state fire marshal, or his designee, shall assume control of a hazardous materials incident at the request of the local fire chief or fire official in charge, or if the state fire marshal or his designee believes that the welfare of the public is not being appropriately served. When the state fire marshal, or his designee, assumes control of a hazardous materials incident he shall have all the authority outlined in RSA 154:7.

4 Rulemaking. Amend RSA 21-P:14, II by inserting after subparagraph (y) the following new subparagraph:

(z) The establishment of training criteria for hazardous materials incident responders and for the implementation of a statewide hazardous material command system. Such rules shall be in addition to rules adopted under RSA 21-P:14, II(a) and shall be adopted after consultation with the fire standards and training commission. No rule shall infringe on the authority of the governor or the office of emergency management under RSA 107-C.

5 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

The bill establishes a study committee, which shall be known as the emergency response funding study committee, to study a means of funding the response to hazardous materials incidents and programs.

The bill provides for the state fire marshal or his designee to assume control of a hazardous materials incident, under certain circumstances, and to coordinate the activities of state services during a hazardous materials incident.

The commissioner of safety shall adopt rules pursuant to RSA 541-A for the establishment of training criteria for hazardous materials incident responders.

Amendment adopted. Ordered to Third Reading.

HB 428, regarding the licensing of funeral directors.
Ought to Pass. Senator Currier for the committee.

SENATOR CURRIER: This bill allows the Board of Registration of Funeral Directors and Embalmers to license, for the practice in New Hampshire, out-of-state residents who meet the requirements for licensure as funeral directors or embalmers in their own states. Basically, what we are talking about doing here is offering reciprocity to our sister states and I would urge the Senate to go along with the Ought to Pass report.

SENATOR PODLES: Senator Currier, does this mean that there will be continued education for the licensing of funeral directors. Do they have to continue their education like other professionals do, under this bill?

SENATOR CURRIER: Yes, I believe so, Senator. What it does is it changes from one year to 30 credits and yes, continuing education still remains part of this bill.

Adopted. Ordered to Third Reading.

HB 593-FN, relative to collective bargaining.
Inexpedient to Legislate. Senator Freese for the committee.

SENATOR FREESE: The purpose of this legislation is to circumvent the municipal budget act. For those towns that operate under the municipal budget act, and there are many, a town or school meeting may not increase spending over 10 percent of the total figure recommended by the budget committee. If this legislation were to become law, it would make a sham out of the municipal budget act and take the lid off the 10 percent spending cap. There is a very similar bill, HB 190, that was re-referred to the House committee on municipal and county government. The whole issue of collective bargaining versus the municipal budget act is going to be studied. It is a very complex issue and it certainly seemed inconsistent to pass this legislation, especially while HB 190 is being studied. The committee recommends Inexpedient to Legislate.

Adopted.

HB 260-FN, relative to distribution of catastrophic aid.
Ought to Pass with Amendment. Senator Hough for the committee.

SENATOR HOUGH: The amendment is found on page 4 of your calendar. The title of the bill, relative to catastrophic education aid, is the bill as it was previously passed. This bill and its subject matter is taken care of by a House bill that has passed both chambers and the amendment strikes out after the enacting clause and puts into statute the reorganization of the Department of Education that was approved under the provisions and the authority of the fiscal committee back some two years ago. This completes the reorganization of the department and makes the final statutory and legislative action that the fiscal committee approved.

Amendment to HB 260-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to salaries within the department of education.

Amend the bill by replacing all after the enacting clause with the following:

1 Salaries; Department of Education. Amend RSA 94:1-a, I by inserting:

I. In group O:

(a) Director of instructional services, department of education.

(b) Director of standards and certification, department of education.

(c) Director of vocational rehabilitation, department of education.

II. In group Q: deputy commissioner, department of education.

2 Salaries; Cross Reference. Amend RSA 94:1-a, I by deleting in group O, deputy commissioner of education.

3 Effective Date. This act shall take effect upon its passage.

AMENDED ANALYSIS

This bill inserts 3 positions in the department of education in group O of the unclassified salary ranges. The position of deputy commissioner of education is transferred from group O to group Q. Amendment adopted. Ordered to Third Reading.

HB 87-FN, relative to group II accidental disability allowance. Ought to Pass. Senator Roberge for the committee.

SENATOR ROBERGE: (Tape inaudible)

Adopted. Ordered to Third Reading.

HB 613-FN, relative to the method for granting supplemental allowance to the New Hampshire retirement system members.
Ought to Pass with Amendment. Senator Magee for the committee.

SENATOR MAGEE: (Tape inaudible)

Amendment to HB 613-FN

Amend the bill by replacing section 1 with the following:

1 Method of Financing; State Annuity Accumulation Fund. Amend RSA 100-A:16, II(h) to read as follows:

(h) There shall be a special account for additional benefits held by the board of trustees. The special account shall be credited annually with all of the earnings of the special account assets, plus all of the earnings of the remaining assets of the retirement system in excess of the assumed rate of return as determined by the board of trustees. The assets held in the special account shall not be used in the actuarial determination of the rate percent of normal contribution as set forth in subparagraphs (b), (c) and (d). The special account shall be used only to fund or partially fund additional benefits [for retired members of the retirement system] **as follows: first, to provide supplemental allowances pursuant to RSA 100-A:41-a, and, second, to the extent that funds may be available in the special account, to provide additional or improved benefits for retired members and beneficiaries of the retirement system.**

Amendment adopted. Ordered to Third Reading.

HB 726, relative to bylaws which regulate electioneering.
Ought to Pass with Amendment. Senator Bass for the committee.

SENATOR BASS: The question before us is the adoption of the committee amendment on HB 726. The committee amendment basically establishes a precedent which electioneering on election day will not be allowed within 500 feet of a polling place. There is an exception constitutionally for private property. However, it would allow candidates themselves to stand there. I would like to make a couple of comments. First of all, towns now have the ability to regulate electioneering and it is up to the towns. However, in the past few years, this candidate and this Senator has noticed that there has been a considerable increase in the number of people using the polling areas as a place for campaigning and there has been a noticeable change in the attitude and the demeanor of those people, especially in my area and in the southern part of the state. There were fist

fight in some towns in this last election. In the town of Milford, in the primary, there were seventeen pieces of literature handed out on the way into the polling booth. The countries of Canada and Japan don't allow any electioneering at all on election day. Now I am sure that this particular measure represents some change in what we consider to be a necessary habit that we have when we run for reelection, but quite possibly one of the most miserable, wasteful, time-consuming parts of our job. And I think the electoral process would be better off, if we didn't have this big gamut every time there is an election where people have to run through a barrage of literature, where candidates fight with each other, where there are signs all over the place. The result would be that we would be able to get our word out to the people for the months that precede an election and then concentrate on something else on election day and do something to help improve turnout. I urge the Senate to adopt the committee amendment.

Senator Heath moved to have HB 726 Laid on the Table.

Division Vote:	8 Yeas	16 Nays
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Motion Failed.

SENATOR PRESTON: Usually, customarily, I would support any of my colleagues' efforts to table this motion, but when it is a deliberate effort to stifle reasonable debate, I cannot go along with that. Such motions certainly can be made afterwards. I hold Senator Heath and Senator Bass in such esteem as those that customarily protect home rule, but this amendment usurps all the local powers. You can't stand at the polls with a campaign button as I would in Manchester with Senator Podles' picture on it, because you would be in violation of this very law. This is absolutely ridiculous. It repeals the right of communities to regulate, certainly the moderator in the towns, I know that in my area, if they thought folks were too aggressive at the polls, they establish instructions, the police come out, they post wooden horses out there and it happens to be a part of the forum we now have in New Hampshire. Why make further efforts, when the voter turnouts are so poor now, I really don't care what they are doing in Japan. I am concerned that pretty soon we'll be down in the cafeteria paying 200 yen for a cup of coffee, if we keep bringing them into every debate. This is a bad amendment in the waning hours. The proponents of this bill wanted to give more power to the local people and moderators, to address aggressive behavior. Senator Heath, I am shocked.

SENATOR MAGEE: I agree with Senator Preston. Senator Nelson, if this bill goes into effect, will end up being 500 feet away in one

polling place standing in Kingsboro. And I will be 500 feet away in Merrimack and I don't belong there either.

SENATOR HEATH: This is something I have worked on in a couple of sessions. This bill came through and it seemed to me that it was an opportunity to resurrect something and it came from a conversation I had with my grandmother who is 94 and who remembers when women were not allowed to vote and I asked her if she was going to vote and she said she had given up voting because she was very intimidated by all the hawkers and peddlers that line the sidewalk when she went to vote. And if I had my druthers, they wouldn't be there at all whether they were 500 feet away or 500 miles away. I think it is insulting, I think it is intimidating to some people. I had a bad experience in my own campaign where a friend of mine, with all due regard to him trying to be helpful, had a nice looking dog the size of a small bear with my sign on it. I am sure that intimidated people who loved dogs less than I do and I like dogs very much, and wouldn't live without one. But, this is an attempt to keep those people who have now set to fighting on the sidelines and to thrusting things at you and to littering the ground with thrown away pieces of campaign literature from doing that. And if you want to raise the participation in the process this is one way to do it. It is to try to eliminate this and I don't see it as any great issue about local control versus state control. It is a matter of giving the citizens a right and amount of respect that they should have in going in and making up their minds and not insulting them with the concept that if they see the picture of someone or someone's name on a placard at the last minute that that will influence their vote. That is insulting to their intelligence. It is littering of the scenery and it is intimidating and the reason we did it this way is because this was the only way we felt we could do it constitutionally and while I thought we could amend it down to a shorter distance of feet, I think that we ought to try this and if this doesn't do the job, then we can go back and look at it again. If you want to bring voter participation up and if you want to respect the intelligence and the rights of people who go to vote that they don't have to run this gauntlet of hawkers and purveyors of last minute deals, support this. And if you want to see this kind of riotous behavior that blocks the citizenry from getting to the poll, intimidates them, then certainly adopt Senator Preston's position.

SENATOR MAGEE: Senator Bass, I didn't have the opportunity to read this entire bill, but I just wonder if there is any part of this bill or amendment that addresses the distribution of fortune cookies at the polling place.

SENATOR BASS: No, Senator Magee, this bill only relates to candidates, and I suppose that one could say it will not affect the local church groups who try to sell cookies or whatever may occur. However, I might point out, Senator Magee, under the present situation, moderators are in charge of controlling election procedures, electioneering, but in many towns in our state this doesn't happen because moderators don't want to get involved in deciding elections between people, whether people can stand outside or not, when there are local personalities involved. It has been my experience, Senator Magee, that most moderators in most small towns in the state just try to stay away from this thing and that is what is really creating the problem here because in those towns that is where pandemonium and riotous behavior occurs which makes life miserable for all of us.

SENATOR PODLES: Senator Heath, would you believe that all the things you are saying about the behavior of candidates does not exist in Manchester?

SENATOR HEATH: No, that is not to denigrate the wonderful people of Manchester and the many people who vote for you when Senator Preston wears your button, but I believe that their behavior is no better or no worse than the behavior of the people in my district and his district and all the other districts. I think it probably averages out to some good and some bad behavior.

SENATOR JOHNSON: Senator Heath, if the hawkers were required to have a hawkers license would you then be in favor of allowing them to hawk?

SENATOR HEATH: Seriously, I don't think that you should license people who are exercising their freedom of speech, but I do think that the time for exercising that in an election is not at the entry door to the polls. It is before in all the many many forums that are provided and it is away from the polls so that people can get to the polls who have looked at the issues and the candidates and made up their minds and can get in there without being tripped, without having something stuck in their face and hand, and without being shouted at.

SENATOR JOHNSON: Would you believe, Senator Heath, that after a total of four different senate campaigns involving both a primary and general election involving fourteen towns in the heartland of the state, this has never been a problem in any of those fourteen towns over those four different campaigns that I have been participating in?

SENATOR HEATH: No.

Amendment failed.

Adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Freese moved that the rules of the Senate be so far suspended as to allow the introduction of a bill not previously listed in the calendar.

Adopted. (2/3 votes)

CACR 5 relating to rulemaking authority. Providing that the general court may delegate regulatory authority to executive branch officials, but such rules may be disapproved by the general court. Inexpedient to Legislate. Senator Freese for the committee.

SENATOR FREESE: My recollection is that it is Inexpedient to Legislate because it was taken care of on another bill previously in this session.

SENATOR NELSON: I didn't quite understand, there is another bill in here doing the same thing?

SENATOR FREESE: There was another bill taken care of earlier in the session.

SENATOR NELSON: I don't mean to beat a dead horse, I know time is of the essence here, but it is my understanding that last year the voters voted that down, and what I am not sure of this is just a resolution between the House and the Senate or they want to put it back to the voters again. Is this an issue that will go back to the voters?

SENATOR DUPONT: It would go back to the voters on the next state election as a CACR.

SENATOR NELSON: And the motion is Inexpedient?

SENATOR DUPONT: That is correct.

SENATOR NELSON: So this will not go back to the voters?

SENATOR DUPONT: That is correct.

SENATOR NELSON: I would just say to look back historically, this is the constitutional amendment that we sent to the voters last time asking them to give, if you will, the administrative rules committee the right to veto any of the rules that come before that committee from the Executive Branch of government. And if you remember at the time, John Sununu was opposed to that because he felt it was interference on the part of the legislature into the Executive Branch of government. I would say at this time, I did have a chance to speak with Senator Bartlett and he raised a very good point for me and that is we just sent it to the voters and the voters, in fact, voted it down. So I think the question is, do we want to send this back to the voters again so soon? I only wanted to say that to you, by way of history, that this is the one that was just out there to the voters.

Senator Bond offered a substitute motion of Ought to Pass.

SENATOR BOND: I corroborate what Senator Nelson said. This is the same issue that has been before the public, but the public did not have a clear understanding of what they were voting on, I am convinced, in the last election. And I really think it should be given another shot. The legislature, as you know, most of the problems that we have with our constituents involves rulemaking by the bureaucracy which we are not able to deal with. I take you back to the snack tax as a classic example of bureaucratic rulemaking and it took an act of the legislature to undo it. So I would urge that you vote Ought to Pass.

SENATOR KING: I would just like to make a quick point added on to what Senator Bond has said. It is, in my opinion, very important that we have a little more flexibility to deal with administrative rules than we have now. At this point, if an administrative rule is passed by an agency, we have got to wait for another legislative session to come so that we can do something about that administrative rule. We have only the ability to advise the bureaucratic agencies about rules that they make. We do not have the ability to veto them and I think that we ought to be able to respond in a much quicker way when things like the sand tax come before the legislature by rules committees. I don't think that there is any reason why we should be reluctant to go back to the voters with this question again, because the simple fact of the matter is that a lot of times when we deal with these kinds of complex constitutional questions, it is an educational process and it takes a while for people to really understand all of the ramifications and my natural response initially as a citizen is to vote no if I don't understand all of the ramifications of something. And so we are presenting it to them for a second time,

if they decide that they don't want that, then that is their privilege, but we have an obligation to allow them to make that decision.

SENATOR JOHNSON: I rise in opposition to the pending motion and in favor of the committee report of Inexpedient to Legislate. I think we all ought to remind ourselves of the enormous power that the House and the Senate have in regard to passing legislation, in regard to granting rulemaking authority and because we have had one or two problems, significant as they may be, is that a reason to change the constitution? Because we can't get a couple of bureaucracies to withdraw their rules. If we didn't have other legitimate recourses, I guess this would be okay. But if we don't like their rules, why don't we withdraw their rulemaking authority rather than change the constitution?

SENATOR PODLES: I also rise in opposition of the motion Ought to Pass. This has been on the ballot, the voters have made a decision. I don't think that we should repeat this again. The local newspapers offer an explanation of the constitutional amendment each time it is on the ballot. And I think that the voters do understand, and I would say to the Senators to oppose the Ought to Pass.

SENATOR BASS: Senator Podles, I appreciate that argument. I think it is quite a valid one and I especially appreciate the fact that you would agree with me that we should not go from annual to biennial sessions, which has been on the ballot over and over again. The people have given us their decision, so therefore if you change your position on that issue.

SENATOR HEATH: Senator Bass, would you believe that there is a difference, because I am opposed to this piece of legislation, but there is a difference between those two, would you agree? And that difference is that one has been the law for years and the citizens have had the chance to see it and then spoke to it the last time they voted. This other one has just been the law for a sample period of time and now they have seen it, should they not also have a chance to vote on it and go back to biennial sessions if they chose. The other one has been there long enough for them to have seen how it works and obviously they approve of it. Would you agree that is the difference?

SENATOR BASS: Senator Heath, with much reluctance, I would not be able to agree with that because both issues have been the law for many many years and biennial sessions were law of the land for over a hundred years and certainly the executive rulemaking au-

thority has been the law for as long as New Hampshire has been around, so the question is equivalent.

SENATOR HEATH: Would you agree that they did not have a recent example of annual sessions to compare it to until and if we put it on this time. They didn't, when they voted on annual sessions, have a recent example, unlike the present situation where they have a recent example of rulemaking authority in the Executive Branch.

SENATOR BASS: Senator Heath, I would say that the people have not had an opportunity to experience annual sessions because we haven't really had real annual sessions. We have had biennial sessions annually.

SENATOR HEATH: I am opposed to this. We have the opportunity to draw legislation that narrowly limits rulemaking. And we fudge it every time. We have a grand idea of what we want for legislation. We put a broadview picture in there and then put "the executive may draw rules and regulations" to promulgate this. We also have a come-back status in legislation to change rules and regulation. We have an oversight committee that we can warn them that we are going to do this if they adopt that rule. We have to let these laws go at some point and not try to usurp the authority of the executive branch and when we are through with them, we ought to be through with them. And if we did our job better, we could turn our back from these and let them work their way and come back if they don't work. But it is our own fault that we don't draw these rules if we want them in a particular way legislatively instead of handing that rulemaking authority off. But I think it would be a mistake to take that away from the executive branch. That is why we have an executive branch, for the continuing day-to-day operation and promulgation of rules and the laws that we pass here. And I think we have to turn them loose at some point and go about doing a better job ourselves and I don't think our record is so good that we ought to expand our branch into the executive branch and take on some of their responsibilities before we have done ours in a little better manner than what we have.

SENATOR NELSON: Senator Heath, would you believe that you do make a lot of sense, but on the other hand, it would be important for this body to know that rules carry the weight of law. Policy is established in those laws. The reason we do not do bone marrow transplants in this state is carried in law, etc. Would you believe that these rules carry the weight of law and sometimes it is more difficult to change a rule than it is a law and there is a lot of time in the middle of that.

SENATOR HEATH: I believe that it is our own fault in loosely drawing the legislation granting wide rulemaking authority and not paying enough attention to the bills. If we had fewer bills and did them better, we wouldn't have this problem. We have an executive branch for the purpose of that oversight, and I think that we also have a comeback, so why not leave it the way it is, do a better job on our rulemaking granting and then come back and take a better look at it.

SENATOR NELSON: Would you believe that we only grant authority to make rules. But the agencies retain the right down to the period, colon, and semi-colon to do the rest. We have absolutely no oversight. We have just oversight. We can't make a difference in anything?

SENATOR HEATH: We can draft that rulemaking authority very narrowly, and we don't. We often give them just total rulemaking authority and we don't need to. We can say you can draft rules to do this very narrow thing. It would get very sloppy and lazy sometimes, if we draft legislation and give them rule authority. We should not resent that rulemaking authority if we gave it to them in too far fetched and wide ranging manner.

Division Vote:	7 Yeas	12 Nays
Motion Failed.		

Committee report adopted.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

HB 654-FN, creating a committee to study what organizations may participate in the New Hampshire retirement system.
Inexpedient to Legislate. Senator Magee for the committee.

SENATOR MAGEE: I would like to offer a substitute motion of Ought to Pass and I have a floor amendment which is being distributed right now.

Senator Magee offered a substitute motion of Ought to Pass.
Adopted.

Senator Magee offered a floor amendment.

SENATOR MAGEE: HB 654 was originally a housekeeping bill. Currently, the president of New Hampshire Education Association is allowed the continued participation in the State retirement sys-

tem while she serves as president of that organization. HB 654 original intent was to extend this to cover the other teachers organization in the state, the New Hampshire Federation of Teachers. This amendment puts the original wording back in the bill so that this inequitable situation can be corrected. It also changes section II in the membership of the committee. It allows the President of the Senate to appoint three members and the Speaker of the House to appoint three members.

SENATOR BLAISDELL: Senator Magee, the original bill had all house members, as I remember, and you have changed it to make sure the Senate has representation?

SENATOR MAGEE: Yes we did.

Floor Amendment to HB 654-FN

Amend the title of the bill by replacing it with the following:

AN ACT

creating a committee to study what organizations may participate in the New Hampshire retirement system, and authorizing the New Hampshire Federation of Teachers to participate in the New Hampshire retirement system.

Amend the bill by replacing section 2 with the following:

2 Membership. The committee shall consist of the following members:

I. Three members of the house of representatives appointed by the speaker of the house.

II. Three members of the senate appointed by the president of the senate.

Amend the bill by replacing section 3 with the following:

3 Appointments and Meetings. The appointments of the members in section 2 of this act shall be made within 60 days of the effective date of this act. The committee shall elect a chairman from among its members. The committee shall meet at such times as the chairman shall designate. Four members shall constitute a quorum, and decisions shall be reached by a simple majority of the members present and voting.

Amend the bill by replacing section 5 with the following:

5 New Subparagraph; Participation in the New Hampshire Retirement System. Amend RSA 100-A:29, II by inserting after subparagraph (j) the following new subparagraph:

(k) The New Hampshire Federation of Teachers, but only with respect to the Federation's officers and the presidents of the local unions affiliated with the Federation.

6 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill establishes a committee to study what non-governmental organizations may participate in the New Hampshire retirement system, and under what circumstances.

The committee must submit its findings, together with any proposed legislation, no later than December 1, 1989.

This bill also authorizes the officers of the New Hampshire Federation of Teachers and the presidents of the local unions affiliated with the Federation to participate as group I members in the New Hampshire retirement system.

Amendment adopted. Ordered to Third Reading.

NOTICE OF RECONSIDERATION

Senator Bond moved reconsideration of HB 556, relative to the board of governors, and administrative board, and the commissioner of the department of postsecondary vocational-technical education.

Adopted.

Senator Bond offered a floor amendment.

SENATOR BOND: I defer to Senator Disnard.

SENATOR DISNARD: The Education Committee has requested reconsideration of HB 556. Originally, this body voted that this should go to study. In the meantime, some problems have arisen. This bill does not do what the amended analysis says. It does not delete that the deans will not be reviewed by the president. It does not continue to allow, in new instances, where the vocational-technical colleges may bypass local ordinance in terms of graveling, selling timber. The only thing it does, the amendment that you have in front of you, is codifies laws that are already in effect and have been included as footnotes. It still allows approval of the Governor and Council when they wish to enter into contracts. It still allows approval of the Board of Governors if they wish to transfer funds in

certain instances and it still insists prior approval of the Board of Governors and the fiscal committee if they wish to eliminate a transfer and a program in their curriculum. That is all it does. It just codifies laws that have been included as footnotes and now they are part of the regular statutes.

Amendment to HB 556

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the board of governors, the administrative board, and the commissioner of the department of postsecondary vocational-technical education.

Amend RSA 188-F:14-b as inserted by section 4 of the bill by replacing all after paragraph III with the following:

IV. Accept and expend any recovery made of the matching share of the work-study program in order to earn any additional federal funds.

V. With prior approval of the board of governors and the fiscal committee, transfer or eliminate instructional programs as student, business, and geographic area needs change, as well as transfer such associated personnel, equipment, and instructional program appropriations between and among the several functional units within the department in order to enable the department to respond rapidly to changing needs for technical education and training.

VI. Upon approval of the board of governors as provided by RSA 188-F:14, transfer funds between and among line items within the department which have the same funding source or funding mix. By October 1 and quarterly thereafter, the department shall submit a report to the fiscal committee detailing all transfers made under this paragraph during the prior quarter and the reasons for them.

VII. Upon approval of the governor and council, enter into contracts with private collection agencies on a percentage of collection fee basis, for the collection of defaulted student loans and other past due accounts from persons who were formerly enrolled as students in the New Hampshire vocational-technical colleges and technical institute and who are currently residing outside the state of New Hampshire.

AMENDED ANALYSIS

This bill transfers the rulemaking authority relative to the operation of the department of postsecondary vocational-technical education and its institutions from the board of governors to the administrative board of the department.

The bill deletes the requirements that deans be reviewed annually and the provision stating that deans serve at the pleasure of the board of governors.

The bill also codifies certain laws, with minor changes, relative to the financial administration of vocational training and technical education programs by the department of postsecondary vocational-technical education. These provisions were originally enacted as temporary measures for the current biennium only.

Under this bill the board of governors will no longer establish tuition rates by rule. The administration of loan fund revolving accounts and bookstore operation is transferred from the board of governors to the administrative board.

Amendment adopted. Ordered to Third Reading.

NOTICE OF RECONSIDERATION

Senator Dupont moved reconsideration of HB 561, relative to the protection of public funds.

Adopted

Senators King and Preston offered a floor amendment.

SENATOR KING: The floor amendment strikes the contents of HB 561 that we defeated a few days ago and inserts instead the language which enables the State of New Hampshire to negotiate with financial institutions throughout the state for the sponsorship of a credit card. Administrative Services would negotiate with the financial institutions to secure the best possible agreement for the State of New Hampshire. Before entering into a contract, however, according to the way that this amendment is written, that contract must be approved by the fiscal committee. This would generate, Senator Preston and I believe, a significant amount revenue in a painless fashion for the State of New Hampshire, in three possible ways. Either through a flat rate paid by the financial institutions as a commission, or a percentage rate, or also the possibility of a percentage of the card fee or the total card fee. The consumer would pay no more for the privilege of using this credit card than they pay for using any other credit card. The State of New Hampshire would merely be paid a commission on the purchase of the sale. As I said before, Senator Preston and I believe it could raise a significant amount of revenue over the next few years that would help us to alleviate the necessity of raising taxes or cutting services in the long run.

SENATOR JOHNSON: Senator King, where is the fiscal note on this amendment that is going to confirm that all this money is going to flow into the treasury of the State of New Hampshire?

SENATOR KING: Senator Johnson, unfortunately we do not have the ability to determine exactly how much money this is going to raise at the moment. The State of Montana has just passed a similar legislation through its legislature and they determined that for their state that they were going to make approximately \$7.8 million in the first year. We are about 25 percent larger than the State of Montana, so you might be able to extrapolate from that. But the reason that we designed this in the way we have, is so that there is a six month period between now and when we come back into session during which rules will be written and they will negotiate and they will try and determine for us so that we can use it in our budgeting process exactly what kind of revenues that we might expect.

SENATOR JOHNSON: Has the State of Montana collected the \$7.8 million so far?

SENATOR KING: The State of Montana just passed this bill.

SENATOR JOHNSON: Shouldn't this issue then wait until we have had an opportunity to find out what the actual fiscal impact is going to be and whether or not we are going to make money?

SENATOR KING: Senator Johnson, it seems to me that since we have done this in an enabling fashion, that first and foremost, we have an obligation by the fact that we raised some additional taxes this year to try and come up with some way that we might be able to reduce those in the future. This is the opportunity for us to do that. We have control over the process with the fiscal committee. We have control over the process, because by the time we come back into session, they will just be getting around to actually negotiating in the first place. So there is no reason for us to delay except for the purpose of delay.

SENATOR STEPHEN: Senator King, how about banks from foreign countries doing business here in our country?

SENATOR KING: It is our feeling that this contract would be negotiated with a New Hampshire financial institution.

SENATOR STEPHEN: When you say negotiated, you are still allowing foreign banks to do business here with the credit cards?

SENATOR KING: You will have to talk some of the other folks on the interstate bank issue.

SENATOR STEPHEN: But who is getting the profits out of this. Is the bank profiting from this?

SENATOR KING: The beautiful thing about the particular scenario, Senator Stephen, is that it is a win-win situation. Obviously, whatever bank is the high bidder in that, they are going to make a profit and there is certainly nothing wrong with that, but the State of New Hampshire wins because we get a fraction of the action, if you want to put it that way, with no further costs to the consumer and without reaching into the taxpayer's pocket. We are going to be able to generate revenue for the State of New Hampshire that we can use to offset taxes and can keep us from having to cut services.

SENATOR STEPHEN: But you are furthering the profits for the banks, number one, then the citizens next.

SENATOR KING: I don't see anything wrong as long as the banks participate in a bidding process just like we bid things out to contract all the time.

SENATOR PODLES: Senator King, isn't it true that you are going on hearsay even before this is studied?

SENATOR KING: The idea, as I said before, was that we have six months during which the Department of Administrative Services will look into the possibility of sponsoring a credit card. This does not say that we absolutely have to do it. It enables them to negotiate to do it, if they find during their studies that this is a positive revenue producer. It can't do any harm, Senator Podles, if we only made \$200,000 from it that is \$200,000 less that we have to ask the taxpayers for in the future.

SENATOR PODLES: Isn't it true that we also are encouraging credit card buying?

SENATOR KING: No, I don't think we are encouraging, we are just participating in the credit card market as a sponsor. Senator Podles, there are organizations all over the country, large national organizations, for example, Ducks Unlimited, the National Rifle Association, the American Association of Retired People that sponsor credit cards. And we would be doing no more than participating as another non-profit organization in the sponsorship of a credit card. We are neither condemning nor condoning the use of credit cards. I think

that we have to live with the reality that they exist in the State of New Hampshire and the reason we have asked the Department of Administrative Services to handle this is because, obviously Skip Jones who is there has had a great deal of success in the past where he worked in the area of sweepstakes and marketed that concept and we have a lot of confidence in his ability to negotiate a good deal for the State of New Hampshire.

SENATOR DISNARD: Senator King, I wonder if all the Senators realize that whenever one goes into a state liquor store, they are encouraged to use credit cards and they are encouraged to spend a lot of money, because I think there is a ten dollar minimum. Do you recognize that, have you ever noticed that in the store?

SENATOR KING: I never go into those places, Senator.

SENATOR PRESTON: The reason Senator Delahunty is watching me so closely is that I have his gold card, his other card here. But what is interesting on both of his cards, sponsored by some investors group and Senator Heath's card, Ducks Unlimited, it says the Bank of Maryland. The credit card that I am holding is Bank of New England and here is another one for US Air, the Bank of Maryland. Now this does nothing to encourage any frivolous use of credit cards. The standards for obtaining credit cards and the ability to obtain credit would be the same. You would be working with New Hampshire banks. It is a very positive approach to raise money. Why should these fees that are being paid by New Hampshire banks to others be paid to them, or to Ducks Unlimited, or to this investors group, or the Bank of New England. This bill encourages New Hampshire people, hopefully, to do business with New Hampshire banks. And we will derive some revenue that is already being paid to others, other foreign corporations and not New Hampshire. And it could be healthier for New Hampshire banks who pay business profits tax and employ a lot of people here. It is as simple as that. It has been misunderstood by the press. It has been laughed at in some instances as a hustle, putting your hands in the pockets of those who have the credit cards. That is utter nonsense. The fees are already being paid by banks to out-of-staters and frankly I have more interest in seeing the State of New Hampshire get something then Delta Airlines, or US Air, or the Bank of New England franchisees. There was a retraction down at a local newspaper trying to explain it and they just deepened the mire. All this does is ask the Department of Revenue Administration to look at this, to talk to the local class A banks only who would handle this, who would make proposals and to go to fiscal committee and determine how this could be worked. It is

an excellent bill. The bankers want to take a look at, the constituents want to take a look at it. It is interesting and it is a positive approach to getting some revenues at no additional costs to the consumers.

SENATOR CHARBONNEAU: Senator Preston, have we had a public hearing on this and do the people realize now that we are also going into the banking business?

SENATOR PRESTON: We are not going into the banking business in the first place, and no, it hasn't had a public hearing. It was at the end of the session that I was really made aware of the intricacies of this. I tried to get cash projections with Senator King as to what it might bring in and the best we got was a guesstimate from Montana. But, wouldn't it be a shame if we are able to raise 2, 5 or 8 million dollars that is being paid to out-of-state people and out-of-state banks if we could keep it within this state? We are not charging any more money. But why don't the banks pay us that fee for sponsoring the credit card instead of sending it to Delta Airlines?

SENATOR CHARBONNEAU: Are we now starting up another layer where it is going to start costing us money with putting in a new position to take care of this?

SENATOR PRESTON: No, I think the Department of Revenue Administration could accept the revenues. It is done on the basis of transactions, Senator. If someone buys a credit card that is sponsored by the State, it is a \$20.00 fee. There are different ways to pay it. The bank may pay you that initial year's fee, they may pay you so much for each transaction on that card, or they may pay you the percentage they are paying to out-of-state people anyway for the amount of interest earned. And that money could be paid to the Department of Revenue Administration as they might receive the business profits tax. There is no need for any big administration to administer it. It is being done by the banking community.

SENATOR STEPHEN: Senator Preston, now that we are helping the little guy out there to afford credit cards, would you be willing to say if this passes, that you would help the little guy out there would get a break voluntarily from the banks to lower that high rate of interest.

SENATOR PRESTON: Your friend did a retraction that further confused this issue, and the second is that this money won't be forcing credit cards on people. It will make fees available to the state and we could take that money and help Joe Sixpack. That is the purpose of this, Senator. That is the real purpose, to have monies available to carry out state programs.

SENATOR NELSON: Senator Preston, having listened attentively to the questions of my colleagues, I would begin to suspect that maybe some people have concerns. Is there enough oversight in this particular piece of legislation, enough checks and balances so that a program like this couldn't go awry? Do we have some oversight?

SENATOR PRESTON: I think, as I understand it, the Revenue Administration would go back to the fiscal committee after he has thoroughly explored this with the banking community and the banking commissioners and others and come to the fiscal committees. I am not concerned that it can go awry.

SENATOR NELSON: Senator Preston, if I look on page 2 of the bill under roman numeral II and I see this particular statement "before entering into a contract with any credit card issuer, the department shall obtain the approval of fiscal committee." Is that to which you referred to directly written in this particular piece of legislation, that this body could say no forget it.

SENATOR PRESTON: The fiscal committee would be the body that could grant our approval to proceed this exploratory program.

SENATOR PODLES: Senator Preston, you have told us all the money that the State is going to make, would you tell us how much the State will have to spend to put this into operation?

SENATOR PRESTON: The State isn't going to do any of the administration of the card program. They will make their applications through the banks for the state sponsored or endorsed card. The State just gets a commission on sales, I guess that is about it, that they are paying to others through fees or a percentage of interest. It will just be a case of paying somebody to receive the money.

SENATOR PODLES: Are you telling me that the bank is going to do the work? There has got to be some work involved, some kind of services.

SENATOR PRESTON: The Bank of Maryland sends a commission check for a portion of the interest or a service fee for each time used monthly to various banks that now sponsor these cards. Ducks Unlimited is sent a monthly check for the amount of monies generated through this card. They administer all the fees and send out the checks to the sponsoring institution, whether it is the Red Sox, Ducks Unlimited, the State of New Hampshire, or Delta Airlines. We don't collect it, we are not involved in that aspect of it at all. It is almost too good to be true.

SENATOR DUPONT: Senator Preston, as chairman of banks, I have just a couple of concerns and one is that the legislation as drafted does not specifically say that it will be a New Hampshire bank, so we could end up with Citicorp or perhaps even a bank that is owned by the Bank of Japan, for example, if they come in with the best program or bank of Ireland. I guess that is a concern that has been raised to me. I would like a response to that.

SENATOR PRESTON: I don't envision that happening. Certainly you could confine it to New Hampshire banks. But I think if you look at the overall picture, we would be hopeful that it would be a New Hampshire so that they would be encouraged, they would make more money, a bigger business profits tax and obtain the fees. I think there are hundreds of millions of dollars going to out-of-state banks. I would like to see it kept in the State to the mutual benefit, not only in the fees, but for the State and other taxes as well.

SENATOR DUPONT: The other concern that I would have and I bring this today, having just thought of it while listening to this discussion. I am concerned that perhaps the bank that we ultimately contract with will do a bad job and if it is an out-of-state bank where we would not have any regulatory control over that bank. There is a possibility of that and if they do a poor job and the citizens of the State that is not being handled properly by the bank, how would we address that.

SENATOR PRESTON: Well, every credit card I think in this room with, maybe the exception of 5 percent, might be an out-of-state bank now, so you are currently running that risk. Certainly, I think that the reputation of the State would be most important, Senator, and I think there are federal regulations as well as state regulations imposed on the banks, be they savings and loans or commercial banks, I don't have that great concern. There are regulations now, but I would hope that it would be a New Hampshire bank.

Floor Amendment to HB 561

Amend the title of the bill by replacing it with the following:

AN ACT

relative to a state-sponsored credit card program.

Amend the bill by replacing all after the enacting clause with the following:

1 New Subdivision; State-Sponsored Credit Card. Amend RSA 21-I by inserting after section 58 the following new subdivision:

State-Sponsored Credit Card

21-I:59 Definitions. In this subdivision:

I. "Financial institution" means a state or federally-chartered bank, savings and loan association, or credit union.

II. "Financial institution credit card" means a credit card that entitles the holder to make open-end purchases up to an approved amount and is issued through the agency of a financial institution.

III. "Sponsoring entity" means an entity that solicits the use of a particular financial institution credit card bearing the entity's name in exchange for a fee from the credit card issuer.

21-I:60 State-Sponsored Credit Card; Distribution of Proceeds.

I. The department of administrative services is authorized to participate in a financial institution credit card program for the benefit of the state. Within 180 days of the effective date of this section, the department shall contact each financial institution to determine if:

(a) The financial institution or its holding company or affiliate currently administers a credit card program;

(b) The credit card program provides a fee or commission on retail sales to the sponsoring entity for the issuance and use of the credit card; and

(c) The credit card program would accept the state as a sponsoring entity.

II. If the department of administrative services determines that the state may be a sponsoring entity for a financial institution credit card, the department shall negotiate the most favorable rate for the state's fee by a credit card issuer. Before entering into a contract with any credit card issuer, the department shall obtain the approval of the fiscal committee. The state shall not offer a more favorable rate to any credit card issuer. The proceeds of the fee shall be deposited in the general fund.

III. The commissioner of administrative services shall adopt rules, pursuant to RSA 541-A, relative to the state's participation in a financial institution credit card program under this subdivision.

2 New Paragraph; Rulemaking Authority. Amend RSA 21-I:14 by inserting after paragraph XIV the following new paragraph:

XV. The administration of the state-sponsored credit card program as provided in RSA 21-I:59-60.

3 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill authorizes the department of administrative services to negotiate with financial institutions to allow the state to be the spon-

soring entity for a financial institution credit card, subject to the approval of the fiscal committee. The fee negotiated by the department in exchange for being a sponsoring entity shall be deposited in the general fund.

Amendment adopted. Ordered to Third Reading.

NOTICE OF RECONSIDERATION

Senator Dupont moved reconsideration of HB 465, changing the name of the solid waste management council.

Adopted.

Senator Dupont offered a floor amendment.

SENATOR DUPONT: Real briefly, all it basically does is there is an existing solid waste study committee that reviews the State's solid waste management plan. It provides one member of the waste management council to be on that committee and also requires that they report to the solid waste management council. They are the group that is charged with overseeing the solid waste plan for the state and if we are going to have a study committee doing a report on the state's waste management plan, it would seem that they should be one of the ones to receive that report. So it is pretty technically simple and I would just urge my colleagues to support this amendment.

SENATOR BASS: I noticed you replaced section 10. Does this amendment materially change section 10 and/or does it change the original intent of the bill.

SENATOR DUPONT: No, it does not, Senator. I can assure you that all they are looking for is a continuity between the different parties that are out there working on this issue. We are going to have a study committee that is studying an issue that this management council is responsible for and I think that they would want to be on the list of who is going to get the report. That is all it does.

Floor Amendment to HB 465

Amend the bill by replacing section 10 with the following:

10 New Section; Continual Review. Amend RSA 149-M by inserting after section 21 the following new section:

149-M:22 Review of Solid Waste Management Plan. The division of waste management, in conjunction with the waste management council, shall, beginning upon the effective date of this section, con-

duct a continual review and update of the state's solid waste management plan which shall include a major revision at least once every 5 years.

11 Review of Solid Waste Management Plan. The introductory paragraph of 1988, 227:20, I is repealed and reenacted to read as follows:

I. There is established a solid waste study committee to review the state's current solid waste management plan, as developed by the division of waste management, department of environmental services, and the waste management council and to suggest necessary legislation based on the review, including any recommended revisions to such plan. The committee shall be composed of the following:

12 New Subparagraph; Committee Member Added. Amend 1988, 227:20, I by inserting after subparagraph (j) the following new subparagraph:

(k) One member nominated by the waste management council, appointed by the governor with the consent of the council.

13 Reference Addition. Amend 1988, 227:20, V to read as follows:

V. The committee shall submit an annual report, including legislative recommendations, to the governor and council, the president of the senate, [and] the speaker of the house, **and the waste management council** not later than December 1 of each year. If the joint rules of the general court require submission of legislation prior to December 1 of any year, the committee shall submit its legislative recommendations not later than the date established in the joint rules for that year.

14 Effective Date. This act shall take effect 60 days after its passage.

AMENDED ANALYSIS

This bill changes the name of the solid waste management council to the waste management council.

The bill provides that appeals from decisions of the division of waste management shall be heard by the waste management council.

The bill also requires the division of waste management, in conjunction with the waste management council, to conduct a continual review and update of the state's solid waste management plan which shall include a major revision at least every 5 years.

Amendment adopted. Ordered to Third Reading.

COMMITTEE REPORTS

HB 85-FN, relative to employer enrollment oversight and the New Hampshire retirement system, relative to eligibility for membership in the retirement system.

Ought to Pass with Amendment. Senator Roberge for the committee.

SENATOR ROBERGE: This bill has to do with the case of employer fault where someone could have been signed up in the retirement system and wasn't. There was a case in Belknap County, the Supreme Court made several policy decisions and then remanded the Superior Court and the AG's office. The AG's office has interpreted the effect of the Belknap County decision as saying that when an employer acknowledges fault for not signing up someone he should have, that he should pay. The employer actually determines the share of the cost and the employee pays the employee's share, however; that is not the law anywhere. It is only in the AG's opinion and that is what this bill would take care of.

I would urge you to defeat this amendment on HB 85. It does not do what was originally intended. I would urge Inexpedient to Legislate on the amendment only and that amendment is the one with my name on it.

Amendment failed.

Senator Hough offered a floor amendment.

SENATOR HOUGH: I, and members of the fiscal committee, now propose this floor amendment and request that you pass this amendment. Basically, the difference between the amendment in the calendar and this amendment is on page 3 the last paragraph, wherein we, members of the fiscal committee and the committee, recognize the vital importance of this group O position which was brought about as a result of an audit of the retirement system and we are authorizing the Executive Director of the System to nominate the director of finance and the appointment will be by the board of trustees of the retirement system. That is the only change in the floor amendment as offered by the fiscal committee, places this recognized, needed expertise in the retirement system.

SENATOR ROBERGE: I would urge you to defeat the floor amendment on the basis that you are creating another position that will do nothing. It will cost the state additional money. We don't need this position unless it is appointed by an authority that would be outside

that particular body. This particular body should not be allowed to appoint a person to oversee them. If you take a look at the legislative budget assistant report, it is relatively thick as you can see, probably the largest report of any state system. There are 28 citations in this particular audit, 28 things that they didn't do that they should have done. Senator Hough is correct. They do need oversight, but they don't need a person to oversee them that is appointed by them. I urge you to defeat this amendment. It is a bad amendment. We can do something that would be much better suited to the problem in a future year. Please vote inexpedient on the current amendment.

SENATOR DUPONT: I rise understanding the good intentions of Senator Roberge and her concern in this area. The members of the fiscal committee, when we received the audit from the retirement system, were extremely distressed with some of the recommendations that the external auditor, the post audit division, brought in relative to the internal accounting procedures of the retirement systems accounting system basically. What the recommendation of the audit was was that an individual be appointed as a director of finance and the audit made no recommendation about who should appoint. I would only like to bring to the attention of the Senate today, that fiscal committee was very, very hard on the retirement system and the management of its affairs. However, we recognize that in the past there has been some question about the responsibility that the governor and council have over what happens to the retirement system, and we were very reluctant to pass legislation here today, as the committee amendment originally established, a procedure that would somehow again raise the question of what responsibility the governor and council have over the workings of the retirement system. So the amendment that you see in front of you, I believe, recognizes the problems that are at the retirement system, that were focused on in the audit without getting into the issue that was heard in the courts a couple of years back about whether or not the governor has any responsibility in this area. So fiscal committee who has a responsibility for looking at these audits, recommends that you adopt the amendment that we put before you today.

SENATOR DISNARD: Senator Hough, am I correct in believing that the retirement system will pay the cost of this individual and not the State of New Hampshire?

SENATOR HOUGH: The expenses of the operation of the retirement system come from the retirement system, if that is what your question is.

SENATOR ROBERGE: I will call your attention to the first paragraph on page 1, the executive secretary of the retirement system shall nominate the director of finance. This person that the executive secretary is appointing would be over him. I ask you why you think this is going to work? Wouldn't you like to be able to appoint your boss, I certainly would. I think that we should defeat this. Maybe the other way wasn't correct either, but I don't think this is the answer. I think that a lot of this was done within the last half hour and that is not a good way to make legislation and make laws that we have to live with. I urge you defeat this. It was written in error. Maybe the intention was very good. I don't doubt the people who wrote it, but I do think that we can do better than this.

SENATOR JOHNSON: Senator Roberge, apparently you are calling into question an organizational arrangement that would allow the executive secretary of the retirement system to nominate the director of finance and then have that director of finance report directly to the board of trustees. You are apparently saying that that doesn't make organizational sense.

SENATOR ROBERGE: That is right.

SENATOR NELSON: Senator Roberge, would you believe that this is not at all unusual. That in the voc-tech system, for example, and with the Governor's Council and the Department of Education, other people nominate and there is another group that decides specifically for the reason that you are stating so that you don't, in fact, hire your own boss?

SENATOR ROBERGE: The answer is that this particular organization is now dealing with over a billion dollars worth of assets. I think there is a huge difference in an organization that is investing over a billion dollars and the group that you are talking about, Senator Nelson.

SENATOR NELSON: And it also says in this amendment, Senator Roberge, that he is going to serve directly at the pleasure of the board of trustees, not at the secretary of the retirement system.

SENATOR ROBERGE: I understand that, but I think we can do better, Senator Nelson. I know that this was worked on recently. I think that there should be oversight outside the organization perhaps.

SENATOR NELSON: By whom should the oversight be, Senator Roberge?

SENATOR ROBERGE: I think it needs more thought and more consideration, Senator Nelson, and I don't think we should be deciding on this type of expensive policy issue today.

SENATOR NELSON: But whom are you recommending?

SENATOR ROBERGE: You could have a study committee, anybody you want, but I don't think this body should be deciding on this position today. I think it is wrong and has been done in haste.

SENATOR HOUGH: Just briefly, I would like to indicate that the executive secretary of the retirement system is not a position that is group O or less. It is a higher unclassified position, so Senator Roberge's comments in regard to page 1 are, in fact, incorrect. The amendment has not been hastily drafted. It has been drafted with the full expertise and scrutiny of our counsel in conjunction with legislative services and I would like to just conclude by saying that there is legislative oversight of the retirement system by the mere fact that the post audit division of the Legislative Budget Assistants Office, our professional staff, has performed audits and the audits were presented to the fiscal committee that represents you in the interim and the concerns that were outlined in the audit are being addressed and monitored by post-audit division and the retirement system is being provided by this amendment with the necessary in-house expertise to meet some of the objections of the audit and there will be subsequent and interim reports made to the fiscal committee on your behalf. And there will continue to be legislative oversight.

SENATOR FREESE: As a former member of the New Hampshire Retirement Board, I support this proposed legislation. It is a very proper procedure the way this bill is set up. There are checks and balances. It is not unusual at all for a person handling the fiscal responsibilities of a corporation or an association like the New Hampshire Retirement System to be hired and have oversight by the secretary and the board of trustees. Senator Hough has very ably explained the outside audit system and this is very normal. I support the legislation.

Floor Amendment to HB 85-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to employer enrollment oversight and the New Hampshire retirement system, relative to eligibility for membership in the retirement system, and relative to a director of finance for the retirement system.

Amend the bill by replacing section 6 with the following:

6 New Subdivision; Director of Finance. Amend RSA 100-A by inserting after section 47 the following new subdivision:

Director of Finance

100-A:47-a Appointment; Duties; and Compensation. The executive secretary of the retirement system shall nominate a director of finance for appointment by the board of trustees. The director of finance shall assist the board of trustees in the management of retirement system funds. He shall report directly to the board of trustees and shall serve at their pleasure. He shall be qualified to hold the position by reason of education and experience. The annual salary for the director of finance shall be that prescribed by RSA 94:1-a, Group O.

7 New Position Added; Director of Finance. Amend RSA 94:1-a by inserting in Group O the following new position: Director of finance, New Hampshire retirement system.

8 Effective Date. This act shall take effect July 1, 1989.

AMENDED ANALYSIS

This bill requires an employer who fails to enroll an employee in the retirement system at the appropriate eligibility period to pay the cost of the actuary's statement used to determine the cost of purchasing prior service credit. The actuary's statement is based on the accrued liability cost of prior service credit.

The bill determines what share the employer and the employee pay for the cost of prior service in order to receive prior service credit, and determines fault for failure to enroll employees in the retirement system.

The bill repeals the requirement that an employee must work for 6 months in order to be eligible for group I or group II membership in the New Hampshire retirement system.

The bill adds a requirement that elected and appointed officials, and officers and employees of local retirement systems, be given notice of their option to join the New Hampshire retirement system.

The bill also authorizes the executive secretary of the New Hampshire retirement system to nominate a director of finance for appointment by the board of trustees. The director shall assist the

board in the management of retirement system funds. The director's position is unclassified, and placed in Group O.

Amendment adopted. Ordered to Third Reading.

Senator Johnson moved to remove SB 144, relative to blood alcohol tests from the table.

Adopted.

Senator Johnson offered a floor amendment.

SENATOR JOHNSON: SB 144 was relative to the blood alcohol tests and that, as Senator Bartlett has pointed out, is the bill that we sent over to the Supreme Court and asked them to take a look at that bill and make sure that it passed certain tests. You will recall a few weeks ago, the Supreme Court came back with a very split opinion on the issue, so the floor amendment is now the bill. And what this amendment simply does is to provide the division of public health the authority to certify the laboratories that will do the testing incident to DWI and blood alcohol testing. It also establishes the procedure for retaining the second sample. So really it abandons the notion of having only one sample taken and will continue to have two samples, but this bill will certify the laboratories that do the testing and also establish the procedure for retaining the second sample. The bill has the support of the Attorney General, the Department of Safety, and the Division of Public Health.

Floor Amendment to SB 144-FN

Amend the bill by replacing all after the enacting clause with the following:

1 Conduct of Additional Tests. Amend RSA 265:86 to read as follows:

265:86 Additional Tests. Any person to whom RSA 265:84 is applicable shall have the right at his own expense to have similar tests made by [any] a person of his own choosing **who is competent to conduct the tests, as determined by the director of the division of public health services under RSA 265:85**, and shall be so informed by the law enforcement officer at the same time as the person is requested to permit a test under the provisions of RSA 265:84. The failure or inability of an arrested person to obtain an additional test shall not preclude the admission of any test taken at the direction of a law enforcement officer. Nothing herein shall require the release from custody of the arrested person for the purpose of having such additional test made. For the purpose of this section[, the]:

I. The sample of blood taken pursuant to RSA 265:84 shall be of sufficient quantity to allow 2 tests; and the testing laboratory shall retain for a period of 30 days subsequent to the test conducted pursuant to RSA 265:84 a quantity of said sample sufficient for another test, which quantity shall be made available to the respondent or his counsel [immediately] upon request.

II. The sample or samples of breath taken pursuant to RSA 265:84 shall be captured in an appropriate medium approved by the director of the division of public health services pursuant to RSA 265:85, V, and shall be sufficient to allow an equivalent additional test for each breath sample taken pursuant to 265:84. The captured sample or samples shall be given to the respondent in a manner determined by the director of the division of public health services.

2 Rulemaking for Laboratory Certification. Amend RSA 265:85, V to read as follows:

V. The director of the division of public health services shall adopt rules pursuant to RSA 541-A relative to:

(a) Methods and procedures for the testing of blood, urine, and breath to determine blood alcohol content[;].

(b) Techniques or methods for ascertaining the qualifications and competence of individuals to conduct such tests[;].

(c) Methods and procedures for the delivery and processing of samples of such tests[;].

(d) Forms relative to taking samples for blood alcohol content tests for admission as evidence pursuant to RSA 265:90, IV[; and].

(e) Procedures for certification of any laboratory that conducts tests pursuant to RSA 265:86, 270:53, or 215-A:11-e.

[(e)](f) Such other matters as are required to carry out the provisions of this chapter relative to blood alcohol content tests.

3 Conduct of Additional Tests. Amend RSA 270:53 to read as follows:

270:53 Additional Tests. Any person to whom RSA 270:49 is applicable shall have the right at his own expense to have a similar test made by [any] a person of his own choosing **who is competent to conduct the tests, as determined by the director of the division of public health services under RSA 265:85**, and shall be so informed by the authorized agent or the peace officer at the same time as the person is requested to permit a test under the provisions of RSA 270:49. The failure or inability of an arrested person to obtain an additional test shall not preclude the admission of any test taken at the direction of an agent or officer. Nothing herein shall require the release from custody of the arrested person for the purpose of having such additional test[s] made. For the purpose of this section[, the]:

I. The sample of blood taken pursuant to RSA 270:49 shall be of sufficient quantity to allow 2 tests, and the testing laboratory shall retain for a period of 30 days subsequent to the test conducted pursuant to RSA 270:49 a quantity of said sample sufficient for another test, which quantity shall be made available to the respondent or his counsel [immediately] upon request.

II. The sample or samples of breath taken pursuant to RSA 270:49 shall be captured in an appropriate medium approved by the director of the division of public health services pursuant to RSA 265:85, V, and shall be sufficient to allow an equivalent additional test for each breath sample taken pursuant to RSA 270:49. The captured sample or samples shall be given to the respondent in a manner determined by the director of the division of public health services.

4 Conduct of Additional Test. Amend RSA 215-A:11-e to read as follows:

215-A:11-e Additional Tests. Any person to whom RSA 215-A:11-a, III is applicable shall have the right at his own expense to have a similar test made by [any] a person of his own choosing **who is competent to conduct the tests, as determined by the director of the division of public health services under RSA 265:85**, and shall be so informed by the peace officer at the same time as the person is requested to permit a test under the provisions of RSA 215-A:11-a, III. The failure or inability of an arrested person to obtain an additional test shall not preclude the admission of any test taken at the direction of an officer. Nothing herein shall require the release from custody of the arrested person for the purpose of having such additional test[s] made. For the purpose of this section[, the]:

I. The sample of blood taken pursuant to RSA 215-A:11-a, III shall be sufficient quantity to allow 2 tests, and the testing laboratory shall retain for a period of 30 days subsequent to the test conducted pursuant to RSA 215-A:11-a, III a quantity of said sample sufficient for another test, which quantity shall be made available to the respondent of his counsel [immediately] upon request.

II. The sample or samples of breath taken pursuant to RSA 215-A:11-a, III shall be captured in an appropriate medium approved by the director of the division of public health services pursuant to RSA 265:85, V, and shall be sufficient to allow an equivalent additional test for each breath sample taken pursuant to RSA 215-A:11-a, III. The captured sample or samples shall be given to the respondent in a manner determined by the director of the division of public health services.

5 Effective Date. This act shall take effect January 1, 1990.

AMENDED ANALYSIS

This bill limits persons who administer additional tests to arrestees subject to the implied consent law under RSA 265:84, 270:49, and 215-A:11-a, III, to those persons who have been determined competent by the director of the division of public health services.

The bill adds a provision that breath test samples be captured in an appropriate medium sufficient to allow an equivalent additional test.

Amendment adopted. Ordered to Third Reading.

Senator Bond moved to remove HB 345, relative to interference with hunters, trappers and fishermen from the table.

Adopted.

Senator Bond offered a floor amendment.

SENATOR BOND: I move that we adopt the floor amendment. HB 345 is relative to the interference with hunters, trappers and fishermen. The bill as originally written was very similar to one that was found unconstitutional by the Supreme Court a couple of sessions ago. As a result, we are proposing the floor amendment which addresses harassment and prohibits the purposeful obstruction or impediment of the participation of any individual in the lawful activity of hunting, fishing or trapping while that individual is in a designated hunting area on public lands. What this does is makes it possible for the Director of Fish and Game to establish an area where there has been conflict between sportsmen and property owners or people who live in that area.

SENATOR BASS: Senator Bond, in reading this amendment, am I correct in saying that the only real difference is that this limits harassment on public lands only, whereas the other bill limited harassment on anybody's land. Is that correct?

SENATOR BOND: That is correct.

SENATOR KING: Senator Bond, I think Senator Bass asked at least one of the questions that I have about this. But I would like to know if we are not, by allowing the executive director to adopt rules, placing this hot potato into his hands instead of dealing with it ourselves?

SENATOR BOND: I guess I couldn't argue with that observation.

SENATOR BASS: Does this designation or definition of public lands include conservation easements owned by the state under LCIP or not?

SENATOR BOND: I don't know.

SENATOR KRASKER: Senator Bond, is it your understanding that this bill as amended will meet the test of constitutionality?

SENATOR BOND: That is what counsel has assured me. Yes.

Floor Amendment to HB 345-FN

Amend RSA 207:57 as inserted by section 1 of the bill by replacing it with the following:

207:57 Harassment.

I. No person shall purposely obstruct or impede the participation of any individual in the lawful activity of hunting, fishing or trapping while that individual is in a designated hunting area on public lands. No person shall enter or remain in a designated hunting area on any state lands with the intent to purposely obstruct or impede the participation of any individual in the lawful activity of hunting, fishing or trapping.

II. The provisions of paragraph I shall not apply to the actions of law enforcement officers and personnel of the department of fish and game in the performance of their official duties. The provisions of paragraph I shall not apply to any incidental interference arising from the lawful and normal activities of public land users.

III. The executive director shall adopt rules, pursuant to RSA 541-A, to administer this section and to establish designated hunting areas on public lands, if he finds that a significant interference with or disruption of a hunt is likely to occur on those lands.

IV. Any person violating the provisions of this section shall be guilty of a violation.

AMENDED ANALYSIS

This bill prohibits the purposeful obstruction or impediment of the participation of any individual in the lawful activity of hunting, fishing or trapping, while that individual is in a designated hunting area on public lands.

Amendment adopted. Ordered to Third Reading.

Senator Podles moved to remove HB 487, relative to grandparents' rights, from the table.

Adopted.

SENATOR PODLES: HB 487 did pass with an amendment. It allows adoptive or natural grandparents to petition for visitation rights of their grandchildren in situations involving the parents' death, divorce or legal separation, adoption by a step-parent or where the parents are unwed. The court must find that such visitation would be in the child's best interest and they must follow a criteria. There was also an amendment and the amendment states that the rights of visitation is denied to any grandparent whose visits to the minor child have been restricted for any reason prior to the death, or divorce of that couple. The committee recommends Ought to Pass with Amendment.

SENATOR ROBERGE: Senator Podles, if the custodial parent of the child is re-married and in this case the mother didn't want her parents to see that child, could she prevent it?

SENATOR PODLES: Yes she can. The amendment takes care of that.

SENATOR ROBERGE: So the natural parent can keep the natural grandparents from seeing the child?

SENATOR PODLES: Yes.

SENATOR ROBERGE: But not the unnatural step-parent.

SENATOR PODLES: But not the unnatural step-parent, you are right.

Amendment to HB 487

Amend RSA 458:17-d, I as inserted by section 2 of the bill by replacing it with the following:

I. Grandparents, whether adoptive or natural, may petition the court for reasonable rights of visitation with the minor child as provided in paragraph III. The provisions of this section shall not apply in cases where access by the grandparent or grandparents to the minor child has been restricted for any reason prior to or contemporaneous with the divorce, death, relinquishment or termination of parental rights, or other cause of the absence of a nuclear family.

Amend RSA 458:17-d, II(b) as inserted by section 2 of the bill by replacing it with the following:

(b) Whether such visitation would interfere with any parent-child relationship or with a parent's authority over the child.

Amend RSA 458:17-d, IV, V and VI as inserted by section 2 of the bill by replacing them with the following:

IV. If the parent of the minor child is unwed, then any grandparent filing a petition under this section shall attach with the petition proof of legitimation by the parent pursuant to RSA 460:29 or establishment of paternity pursuant to RSA 168-A.

V. Upon the motion of any original party, the court may modify or terminate any order made pursuant to this section to reflect changed circumstances of the parties involved.

VI. Nothing contained in this section shall be construed to affect the rights of a child or natural parent or guardian under RSA 463 or adoptive parent under RSA 170-B:20.

Amend RSA 458:17-d as inserted by section 2 of the bill by inserting after paragraph VI the following new paragraph:

VII. All costs arising out of petitions made pursuant to this section, including but not limited to court costs, attorneys' fees, and guardian ad litem fees, shall be paid by the petitioner.

AMENDED ANALYSIS

This bill gives standing to any grandparent of a minor child to petition the court for rights of visitation with the child if a parent of the child is deceased or divorced, or legally separated, if a stepparent married to the custodial parent legally adopts the child, or if the parents of the child are unwed. Standing to petition for rights of visitation is denied to any grandparent whose visits to the minor child have been restricted for any reason prior to or contemporaneous with the death, divorce, or other cause of the absence of a nuclear family.

Before visitation rights will be granted, the bill requires the court to find that visits by the grandparent will not interfere with the parent-child relationship and that the visits would be in the best interest of the child. All costs associated with the petition must be borne by the petitioner.

Amendment adopted. Ordered to Third Reading.

Senator Bond moved to remove HB 546, relative to the water protection assistance program from the table.

Adopted.

SENATOR BOND: This bill requires the Office of State Planning to adopt rules to guide municipalities in the development of local water resource management protection plans. The committee feels that it

is a good piece of legislation. We placed it on the table because we were uncertain about related legislation in the House. It seems proper now that we pass it. I understand that Senator Krasker has an amendment which she will present.

Senator Krasker offered a floor amendment.

SENATOR KRASKER: If you have had occasion to go to the seacoast recently and dig for clams or other shellfish, you have discovered that at the present time, the shellfish flats in the seacoast are closed. They are closed because there is so much pollution in the water; there is so much bacteria that eating what comes out of those flats could cause serious damage to health. What the amendment will do is establish a committee, five members from the House and three members from the Senate to look into the problem which has been caused by the closure of the flats due to the pollution. Some of the problem has been from raw discharge into the waters and then to recommend appropriate action for legislation in the next legislative session. The issue is of critical concern and unless we act now, we really endanger this entire area.

Floor Amendment to HB 546-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the water protection assistance program and relative to the closure of shellfish flats on the seacoast.

Amend the bill by replacing section 5 with the following:

5 Committee Established; Duties.

I. There is established a committee to study the recent closure of shellfish flats in the seacoast area because of pollution resulting from sewage and chemical pollutants. The members of the committee shall be:

(a) Five members of the house of representatives, appointed by the speaker of the house.

(b) Three members of the senate, appointed by the president of the senate.

II. The primary duty of the committee shall be to study the problem of the closure of the shellfish flats due to pollution from sewage and chemical pollutants and to recommend any appropriate action or legislation.

6 Report. The committee shall report its findings and recommendations to the speaker of the house and the president of the senate no later than September 30, 1989, with any proposed legislation for the 1990 legislative session.

7 Compensation. The members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

8 Effective Date.

I. Sections 1-4 of this act shall take effect 60 days after its passage.

II. The remainder of this act shall take effect upon its passage.

AMENDED ANALYSIS

This bill requires the office of state planning to adopt rules to guide municipalities in development of local water resources management and protection plans. The office provides review and comment on local plans to municipalities.

Local plans are implemental through municipal ordinances. Assistance is available to municipalities through the water protection assistance programs of the office and programs of the department of environmental services.

This bill also establishes a committee to study the recent closure of shellfish flats in the seacoast area due to pollution from sewage and chemical pollutants. The bill requires the committee to submit its findings and recommendations no later than September 30, 1989. Amendment adopted. Ordered to Third Reading.

Senator Bond moved that HB 353, prohibiting the use and operation of ski craft or hovercraft on Canaan Street Lake in the town of Canaan be removed from the table.

Adopted.

SENATOR BOND: As the President indicated, the amendment which the committee recommended on HB 353 was defeated in the last session. The committee would like to go forward with HB 353 as Ought to Pass prohibiting the use and operation of ski craft on Canaan Street Lake in the town of Canaan.

SENATOR HOUGH: What is the difference between the floor amendment and the bill as passed? Is this an amendment we have here?

SENATOR BOND: No, this is the bill that came over from the House as filed in the House.

SENATOR CURRIER: I rise in opposition to the pending motion in that this would add another lake to the long list of growing lakes that have being added to the elimination of the operation of ski craft.

SENATOR HOUGH: I would request that the members pass this bill that was introduced by Representative Christy of District 11 which includes Canaan Street Lake. It is also a community in a lake that is in my district and clearly the people in the community, both those on the lake and those that live in the town at large, have a problem. They wish this lake to be put in this mode. The House passed it as it was introduced by the local legislator and as their Senator I would hope that the membership would support me on an issue that directly affects one of the communities in my district as you would expect me to support you were the case similar in your district.

Adopted. Ordered to Third Reading.

RECONSIDERATION

Senator Preston, having voted with the prevailing side, moved reconsideration of SB 60, relating to recording dock permits and moved to substitute Concur with House Amendment for Non-Concur with House Amendment.

Adopted.

HOUSE MESSAGES

SENATE NONCONCURS WITH HOUSE AMENDMENT REQUESTS COMMITTEE OF CONFERENCE

SB 91-FN, providing a 20 percent cost of living adjustment for teachers retired prior to July 1957.

Senator Delahunty moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Blaisdell, Freese, Magee.

SB 71, authorizing the removal of a boat and mooring under certain circumstances.

Senator Heath moved nonconcurrence and requested a committee of conference.

Adopted

Conferrees for the Senate are: Senators Heath, Stephen, Bond.

SB 58-A, appropriating funds to reimburse the highway surplus account used for rehabilitation of the Cornish-Windsor bridge.

Senator Torr moved nonconcurrency and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Torr, Charbonneau, Nelson

SB 27, relative to liability of landowners for pollutant cleanup.

Senator Bond moved nonconcurrency and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Bond, Bass, Preston.

SB 94-FN, authorizing the sale of liquor and beverages in additional areas under a liquor license.

Senator Freese moved nonconcurrency and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Freese, Delahunty, Disnard

SB 87-FN, relative to exposure by firefighters and emergency medical technicians to infectious disease.

Senator Krasker moved nonconcurrency and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Krasker, Preston, Charbonneau.

SB 106-FN, relative to increasing driver's license fees and relative to issuing temporary driver's licenses to new residents and making an appropriation therefor.

Senator Preston moved nonconcurrency and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Preston, Dupont, Torr.

SB 105-FN-A, making an appropriation for improving electrical service at Weeks state park in Lancaster.

Senator Dupont moved nonconcurrency and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Blaisdell, Dupont, St. Jean.

SB 97-FN, relative to the distribution of drug forfeiture money.

Senator Podles moved nonconcurrency and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators St. Jean, Bartlett, Podles.

SB 65, establishing a committee to study mental health insurance benefits.

Senator Charbonneau moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Delahunty, Charbonneau, Blaisdell.

SB 113-FN-A, relative to medicaid coverage of dental benefits for all categorically eligible recipients and making an appropriation therefor.

Senator Podles moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Podles, Charbonneau, St. Jean.

SB 73-FN, establishing a committee to study taxing all tobacco products.

Senator Roberge moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Bartlett, McLane, Stephen.

SB 52, relative to drug paraphernalia

Senator Podles moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Podles, Nelson, Charbonneau.

SB 66, relative to regulation of transporters of solid waste.

Senator Heath moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Heath, Bond, Stephen.

SB 76, establishing a committee to study durable powers of attorney for health care.

Senator Podles moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Podles, Roberge, Preston.

SB 196-FN, relative to bail reform.

Senator Podles moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senator Podles, Charbonneau, Nelson.

SB 24, relative to liquor store displays and promotions.

Senator Freese moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Freese, Bartlett, Stephen

SB 203-FN, relative to employing minors enrolled in school.

Senator Disnard moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Disnard, Charbonneau, Nelson.

SB 5, permitting a corporation to limit the liability of its directors and officers in its articles of incorporation.

Senator Delahunty moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Delahunty, Roberge, Blaisdell

SB 191, relative to telecommunications devices for the deaf.

Senator Heath moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Heath, Johnson, Nelson.

SB 51-FN, relative to the Christa McAuliffe planetarium.

Senator Heath moved nonconcurrence and requested a committee of conference.

Adopted.

Conferrees for the Senate are: Senators Heath, McLane, Preston.

SENATE CONCURS WITH HOUSE AMENDMENTS

SB 16, relative to post-termination commissions paid to sales representatives.

Senator Podles moved concurrence.

Adopted.

SB 43-FN, relative to licensing engineers, architects, and land surveyors.

Senator Freese moved concurrence.

Adopted.

SB 110, relative to joint and several liability and to pollution liability.
Senator Podles moved concurrence.
Adopted.

SB 7, limiting the horsepower of motors on Christine Lake in the town of Stark.
Senator Bond moved concurrence.
Adopted.

SB 9, to clarify how to designate highways to summer cottages.
Senator Preston moved concurrence.
Adopted.

SB 21-FN, establishing authority for revolving funds for publications and training in the office of state planning.
Senator Freese moved concurrence.
Adopted.

SB 44, requiring the superior court to adjudicate paternity in certain contested cases.
Senator Podles moved concurrence.
Adopted.

SB 107, relative to the right to know law.
Senator Nelson moved concurrence.
Adopted.

SB 156-FN, relative to refuse disposal
Senator Bond moved concurrence.
Adopted.

SB 171-FN, relative to revenue distribution.
Senator Roberge moved concurrence.
Adopted.

SB 180, relative to abandoned vehicles.
Senator Preston moved concurrence.
Adopted.

SENATE ACCEDES TO HOUSE REQUEST FOR A COMMITTEE OF CONFERENCE

The Senate accedes to the request of the House of Representatives for a Committee of Conference on the following entitled Bill:

HB 100-A, making appropriations for capital improvements.

Adopted.

Conferrees for the Senate are: Senators Torr, Charbonneau, Nelson and Alternates Preston and Roberge.

The Senate accedes to the request of the House of Representatives for a Committee of Conference on the following entitled Bill:

HB 200-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990, and June 30, 1991.

Adopted.

Conferrees for the Senate are: Senators Bartlett, Blaisdell, Hough and Alternates Dupont and Torr.

The Senate accedes to the request of the House of Representatives for a Committee of Conference on the following entitled Bill:

HB 629-FN, relative to gravesites.

Adopted.

Conferrees for the Senate are: Senators Charbonneau, Heath and Kraker.

The Senate accedes to the request of the House of Representatives for a Committee of Conference on the following entitled Bill:

HB 650-FN, relative to removing tax collectors.

Adopted.

Conferrees for the Senate are: Senators Charbonneau, Heath and King.

The Senate accedes to the request of the House of Representatives for a Committee of Conference on the following entitled Bill:

HB 222, limiting horsepower of motors on Indian Pond in the town of Orford.

Adopted.

Conferrees for the Senate are: Senators Bond, Currier, and St. Jean.

The Senate accedes to the request of the House of Representatives for a Committee of Conference on the following entitled Bill:

HB 206, prohibiting the use and operation of petroleum-powered boats on Bradley lake in the town of Andover.

Adopted.

Conferrees for the Senate are: Senators McLane, Bond and Kraker.

HOUSE CONCURS

SB 31, relative to renovation of the Rochester post office as a district court facility.

SB 96-A, relative to the Portsmouth district court and making an appropriation therefor.

SB 100-FN, relative to pari-mutuel racing.

SB 122-FN, relative to member retirement deductions for certain group II members.

SB 146-FN, relative to judicial salaries.

SB 193, relative to the appointment and removal of assistant secretaries of state, and relative to the appointment of a senior deputy secretary of state.

HOUSE REFUSES TO CONCUR

SB 78-FN-A, making appropriations to the wic program.

SB 133-FN-A, making an appropriation for Title XX grants and protective and preventive child care.

SB 170-FN, establishing an emergency shelter telephone service and a pilot housing voucher program, and making appropriations for the emergency shelter telephone service.

SB 172-FN-A, relative to the capital reserve fund and making an appropriation therefor.

CACR 1, PROVIDING THAT: the general court shall meet biennially.

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 19, regarding the use of hazardous waste cleanup fund.

HB 59, changing the name of New Hampshire vocational-technical college education system.

HB 81-FN, relative to dam permitting authority.

HB 82-FN, relative to the police standards and training council and the fire standards and training commission.

HB 98-FN, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs.

HB 120-FN, increasing the amount available for suggestion and incentive awards to state employees.

HB 136-FN-A, relative to education in unorganized places.

HB 140-FN, relative to delinquent children and children in need of services.

HB 147-FN, relative to commercial driver licensing.

HB 173-FN-A, relative to the dedication of the Hampton State Beach lifeguard facility and making an appropriation therefor.

HB 187-FN, relative to the rulemaking authority of the board of medicine.

HB 226-A, relative to state-issued bonds for college tuition.

HB 238, permitting competent adults to nominate their own guardians in case of future incapacity.

HB 289, relative to stumps, leaves, and yard waste.

HB 290-FN-A, to recognize that the automation activities of the department of revenue administration should be modernized.

HB 332-FN-A, relative to the collection and reclamation of motor vehicle wastes.

HB 376-FN, licensing physician assistants.

HB 397-FN, relative to composition of the dental board.

HB 516-FN, relative to illegal dumping of garbage.

HB 571-FN, establishing standards for mediators.

HB 584-FN, relative to bad checks.

HB 608-FN, establishing a study committee to examine the procedures of siting, licensing and operation of energy related facilities.

HB 616-FN, relative to public utilities commission.

HB 640-FN, to permit the Wakefield school district to withdraw from the Rochester authorized regional enrollment plan.

HB 644-FN, relative to the optional veterans' exemption.

HB 651-FN, relative to adoption fees and information about birthparents.

HOUSE ACCEDES TO COMMITTEE OF CONFERENCE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bills:

SB 69-FN, establishing the home mortgage guarantee authority.

Conferees on the part of the House are: Representatives Fraser, Fair, Bicknell, Christy.

SB 10, repealing a chapter on floating timber and damage therefrom.

Conferees on the part of the House are: Representative Wiggins, Marston, Blanchard, Lewis.

ENROLLED BILLS REPORT

HB 24, relative to the bicentennial commission

HB 36, relative to library records confidentiality.

HB 57, appropriating funds to the department of agriculture to continue work on the Eastern States Building.

HB 66, relative to health maintenance organizations.

HB 113, to define certain police trainers as permanent policeman for retirement system purposes.

HB 114, allowing the district courts to approve petitions for services other than counsel.

HB 129, establishing fees for reviewing plans to dredge and creating new classified positions and making an appropriation therefor.

HB 155, relative to correcting defects in the March 10, 1987 Hooksett school district election ballot and the March 14, 1989, Marlborough town meeting.

HB 264, prohibiting the distribution, sale, possession or use of anabolic steroids except for purposes of medical treatment.

HB 330, relative to exemption from the gasoline tax and state license plates.

HB 609, relative to jury selection procedures.

HB 652, relative to discounts and credit terms for the sale of wine.

HB 664, transferring enforcement authority over the equal pay act from the labor commissioner to the commission for human rights.

HB 758, to establish an impact fee study committee.

HB 763, authorizing the Salem and Derry school districts to establish a debt retirement fund.

SB 8, relative to workers' compensation coverage of firemen.

SB 13, relative to the definition of legislative and governing bodies of municipalities.

SB 84, to require drivers on motorcycles to wear eye and face protection.

SB 95, establishing a minimum fine for violating the boat decibel limits.

SB 163, relative to power production capacity of certain small power production facilities.

SB 178, relative to campaign financing.

SB 205, relative to establishing the New Hampshire energy authority and making an appropriation therefor.

HB 115, reducing to a violation the misdemeanor offense of driving after revocation or suspension when it is a first offense⁴ and unrelated to DWI or reckless driving.

HB 131, relative to protective well radii for private water wells.

HB 221, exempting health care facilities and personnel from liability when performing medical procedures at the request of a law enforcement officer investigating a crime.

HB 240, establishing a shooting range study committee.

HB 279, relative to the purchase of the Ralph Brown property in Rye and making an appropriation therefor.

HB 291, relative to the real estate transfer tax.

HB 354, making an appropriation to fund improvement in Cardigan State Park.

SB 30, establishing a committee to study all aspects of the effect on consumers of emerging changes in the financial services industry.

SB 32, relative to drug offenses.

SB 119, relative to boundaries of ward 2 in the city of Portsmouth.

Senator Currier for the Committee.

Adopted.

ENROLLED BILL AMENDMENTS

Enrolled Bill Amendment to HB 737-FN

Amend 1965, 345:2-a as inserted by section 3 of the bill by replacing line 2 with the following:

30 days after the effective date of this section. At the first meeting the

Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a reference in section 3 of the bill.

Adopted.

Enrolled Bill Amendment to HB 755-FN

Amend subparagraph I(b) as inserted by section 3 of the bill by replacing it with the following:

(b) One member nominated by the river management advisory committee, as established in RSA 227-F:8.

Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a citation only. A citation means a reference to a statute.

Adopted.

Enrolled Bill Amendment to HB 752-FN

Amend RSA 173-B:6, III as inserted by section 9 of the bill by replacing line 3 with the following:

of [welfare] **human services** when in the best interest of a child[.];

Amend RSA 173-B:8, I(a) as inserted by section 11 of the bill by replacing line 8 with the following:

committed in the presence of a peace officer.

Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a reference in the bill. That is all it does.

Adopted.

Enrolled Bill Amendment to HB 699

Amend RSA 651:2, II-f as inserted by section 2 of the bill by replacing line 2 with the following:

sentenced as provided in RSA 159:3-a, II and III.
Senator Currier for the committee.

SENATOR CURRIER: This amendment clarifies a sentence in section 2 by inserting the word "provided".

Adopted.

Enrolled Bill Amendment to HB 144-FN-A

Amend the title of the bill by replacing it with the following:

An Act relative to minor mothers and their infants.
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects the title of the bill.

Adopted

Enrolled Bill Amendment to HB 239

Amend the introductory paragraph of RSA 31:5-b, II as inserted by section 1 of the bill by replacing line 9 with the following:

of notice, vote, hearing, or wording, **or with any procedural act not contrary**
Senator Currier for the committee.

SENATOR CURRIER: This amendment clarifies the meaning of a phrase within section 1.

Adopted

Enrolled Bill Amendment to HB 305-FN

Amend the bill by replacing line 1 of section 1 with the following:

1 New Subparagraph; Addition to 10-Year Highway Plan. Amend 1986,

Amend the bill by replacing line 3 of section 1 with the following:

the following new subparagraph:

Senator Currier for the committee.

SENATOR CURRIER: This amendment makes a technical correction in the amending language which resulted when the amendment to the bill was ruled admissible by subsequently only a portion of the amendment was adopted.

Adopted.

Enrolled Bill Amendment to SB 145-FN

Amend section 2 of the bill by replacing lines 2-3 with the following:

section 1-a the following new sections:

47:1-b Special Revenue Funds. Cities may, pursuant to RSA 47:1-d, vote to

Amend RSA 47:1-c, II as inserted by section 2 of the bill by replacing line 2 with the following:

47:1-b shall apply within the city on a date set by the city council.

SENATOR CURRIER: This bill corrects an RSA section number and a cross reference.

Adopted.

RESOLUTION

Senator Dupont moved that the rules of the Senate be so far suspended as to allow all bills to be placed on third reading and final passage, all titles be the same as adopted, and that they be passed at the present time.

Adopted.

LATE SESSION

THIRD READING AND FINAL PASSAGE

HB 77-FN, relative to the pharmacy board.

HB 273-FN,authorizing the transfer of sick and annual leave and longevity credit for certain state employees and relative to certain salaries.

HB 394-FN-A, establishing a state emergency response funding committee and relative to hazardous materials incident response.

HB 428,regarding the licensing of funeral directors.

HB 260-FN,relative to distribution of catastrophic aid.

HB 87-FN,relative to group II accidental disability allowance.

HB 613-FN,relative to the method for granting supplemental allowance to the New Hampshire retirement system members.

HB 726,relative to bylaws which regulate electioneering.

HB 654-FN,creating a committee to study what organizations may participate in the New Hampshire retirement system, and authorizing the New Hampshire Federation of Teachers to participate in the New Hampshire retirement system.

HB 556, relative to the board of governors, the administrative board, and the commissioner of the department of postsecondary vocational-technical education.

HB 561, relative to a state-sponsored credit card program.

HB 465, changing the name of the solid waste management council.

HB 85-FN,relative to employer enrollment oversight and the New Hampshire retirement system, relative to eligibility for membership in the retirement system, and relative to a director of finance for the retirement system.

SB 144, relative to blood alcohol tests.

HB 345, relative to interference with hunters, trappers and fishermen.

HB 487, relative to grandparents' rights.

HB 546, relative to the water protection assistance program and relative to the closure of shellfish flats on the seacoast.

HB 353, prohibiting the use and operation of ski craft or hovercraft on Canaan Street Lake in the town of Canaan

Senator Dupont moved that the Senate be in recess until Tuesday, May 16, 1989 at 1:00 p.m. for the sole purpose of receiving House Messages and Enrolled Bill Reports.

Adopted.

MAY 11, 1989

Out of Recess.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Tuesday, May 16, 1989 at 1:00 p.m..

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

May 16, 1989

The Senate met at 1:00 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we are weary! Help us to get the show on the road and amalgamate differences and special interests and come up with the right answers in committee of conference. Help us to keep our minds clear and our foresight successful as we wind down and set the tone of the future.

Amen

Senator Currier led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

RULE 44

SENATOR DISNARD: My wife and I had the extreme pleasure last Saturday afternoon to attend the 21st commencement of the New Hampshire Vocational Technical College in Claremont. We were especially pleased to have been in attendance because the Dean of the Senate, Senator Clesson Blaisdell, received an Associates Degree in Applied Science.

Clesson J. Blaisdell, Jr. is a native of Keene, NH. A graduate of the Keene High School, and is a veteran of the United States Navy. He has owned and operated Junie Blaisdell's Sport-A-Rama for many years. Clesson Blaisdell has chaired the New Hampshire State Ath-

letic Commission for more than 18 years. Sports and sportsmanship mark Junie Blaisdell's life: Past President and member of Basketball Officials' Association for more than 30 years, former State Softball Commissioner; Commissioner of the Keene Little League and a scout for the National League's Los Angeles Dodgers. A member of the Collegiate Basketball Officials of America, "Junie" was recently honored for his more than 20 years of service to our youth in sports.

State Senator Clesson Blaisdell (District 10) has served over 20 years in the New Hampshire State Senate. Dean of the Senate, he currently serves as Chairman of the Senate Finance Committee as well as a member of the Ways and Means Committee and the Insurance Committee. Among his past duties Senator Blaisdell numbers Democratic Leader of the Senate and membership on the Recreation and Development Committee.

In the City of Keene, Senator Blaisdell is well known. He has held the posts of Selectman and Supervisor of the Checklist. He is a Charter Member and Past President of the Kiwanis Club of Keene. He remains active in the American Legion and the Knights of Columbus. As an Incorporator of Keene Savings Bank and the Saving Bank of Walpole, he continues his service to his home community.

In New Hampshire, Clesson Blaisdell is particularly well known for his efforts on behalf of handicapped individuals. He was an enthusiastic supporter of the Handicapped Program when it was at the College in Claremont and trustee of the Cedarcrest Home for Handicapped Children.

Senator Blaisdell has worked to support the Vocational-Technical Education System under the previous Department of Education and present Department of Postsecondary Vocational-Technical Education through legislation and his membership in the Senate Education Committee. His efforts have been recognized as recipient of the Phi Delta Kappa Award for Outstanding Contributions to Public Education and was awarded an Honorary Doctor of Law from the University of New Hampshire at Keene.

Senator Blaisdell's life is marked by numerous contributions as a humanitarian to New Hampshire's citizens. His efforts are for the needy, the handicapped, the retired, the old, and the young.

HOUSE MESSAGES

SENATE REFUSES TO ACCEDE TO HOUSE REQUEST
FOR COMMITTEE OF CONFERENCE

The Senate refuses to accede to the request of the House of Representatives for a Committee of Conference on the following entitled Bill:

HB 118-FN, relative to collision damage waiver.
Senator Charbonneau moved nonconcurrency.

Adopted.

HB 374, relative to the Head Start program and making an appropriation therefor.
Senator Hough moved nonconcurrency.

Adopted

SENATE ACCEDES TO HOUSE REQUEST
FOR A COMMITTEE OF CONFERENCE

The Senate accedes to the request of the House of Representatives for a Committee of Conference on the following entitled Bills:

HB 766-FN-A, making a supplemental appropriation for flood control and relative to the calculation of flood control reimbursements
Senator Currier moved to accede to the House request for a committee of conference.
Adopted.

Conferees for the Senate are: Senators Currier, Bass, and King.

HB 29, relative to liquor laws.
Senator Roberge moved to accede to the House request for a committee of conference.
Adopted.

Conferees for the Senate are: Senators Roberge, Currier, and Stephen.

HB 677, relative to modification of child support guidelines.
Senator Podles moved to accede to the House request for a committee of conference.
Adopted.

Conferees for the Senate are: Senators Podles, Roberge, and Nelson.

HB 658-FN, establishing a committee to study the laws relative to depositions.

Senator Podles moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Podles, Bass, and Nelson.

HB 464, relative to sons and daughters of members of charitable organizations assisting with bingo games.

Senator Roberge moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Roberge, Stephen, and McLane.

HB 578, relative to victim's assistance and compensation.

Senator Podles moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Podles, Preston, and Bartlett.

HB 385-FN-A, to tax all forms of tobacco products.

Senator Dupont moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Dupont, McLane, and Blaisdell.

HB 327-FN-A, relative to the rate of the real estate transfer tax.

Senator Roberge moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Bond, Bartlett, and Blaisdell.

HB 764-FN-A, relative to state revenues and appropriations.

Senator Roberge moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Roberge, Dupont, and Blaisdell.

HB 270-FN, relative to motorcycle safety, establishing a motorcycle rider safety fund, and making a continual appropriation therefor.

Senator Johnson moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Johnson, King, and Currier.

HB 146, relative to the milk standard.

Senator Bass moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Bass, Currier, and Preston.

HB 371, relative to licensing respiratory care practitioners and making an appropriation therefor.

Senator Freese moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Freese, Johnson, and Stephen.

HB 693, relative to the leasing of submerged tidal lands.

Senator Heath moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Heath, King, and Johnson.

HB 117-FN, relative to feeding garbage to swine.

Senator Currier moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Currier, Bass and Krasker.

HB 50, exempting the department of transportation, the department of safety, and the department of postsecondary vocational-technical education from the authority of the director of information services.

Senator Bond moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators St. Jean, Dupont, and Poldes.

HB 101, relative to budgetary transfer authority of the department of health and human services.

Senator Hough moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Hough, St. Jean, and Dupont.

HB 42, relative to actuarial review of rate filings.

Senator Freese moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senator Freese, Roberge, and Blaisdell.

HB 502, relative to disclosure of mental health information.

Senator Krasker moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Krasker, Bond, and Dupont.

HB 262-FN, extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a joint oversight committee and related committees to study issues regarding children.

Senator Roberge moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Roberge, Disnard, and Poldes.

HB 260-FN, relative to distribution of catastrophic aid.

Senator Hough moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Hough, Blaisdell, and Bartlett.

HB 273-FN, authorizing the transfer of sick and annual leave and longevity credit for certain state employees.

Senator Delahunty moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Bartlett, Freese, and Blaisdell.

HB 434-FN-A, relative to franchising and regulation of cable television systems and making an appropriation therefor.

Senator St. Jean moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators St. Jean, Bartlett and Dupont.

HB 582-FN, relative to a committee to review surface water use restrictions on the public waters of the state.

Senator Bond moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Bond, Preston, and Bass.

HB 594-FN, to reinstate medical and surgical benefits for certain retired employees.

Senator Delahunty moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Blaisdell, Freese, and Magee.

HB 613-FN, relative to the method for granting supplemental allowance to New Hampshire retirement system members.

Senator Delahunty moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Delahunty, Freese, and Blaisdell.

HB 654-FN, creating a committee to study what organizations may participate in the New Hampshire retirement system.

Senator Freese moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Freese, Blaisdell, and Roberge.

HB 710, regulating the use of social security numbers by the department of Safety.

Senator Preston moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Preston, Heath, and Johnson

Recess.

Out of Recess.

Senator Dupont in the Chair.

SENATE CONCURS WITH AMENDMENT

SB 50, relative to measuring liquid hazardous waste.

Senator Bond moved concurrence

Adopted

SB 56-FN, relative to the disposition of fines and forfeiture collected for violations of municipal ordinances, codes, and regulations; increasing the penalty for reckless driving; and relative to driver's license fees.

Senator Podles moved concurrence.

Adopted.

SENATE CONCURS WITH AMENDMENT

SB 147, relative to waiting lists for developmentally disabled persons.

Senator Krasker moved concurrence.

Adopted.

SB 99, supplementing the funding for programs which assist victims of domestic violence.

Senator Podles moved concurrence

Adopted.

SB 86, prohibiting power boats and ski craft on Wilson Lake.

Senator Bond moved concurrence.

Adopted.

SB 177, establishing an interest-free revolving loan fund and a guaranteed loan program for child care providers.

Senator Krasker moved concurrence.

Adopted.

SB 152-FN-A, relative to a study of a portion of the spaulding turnpike and making an appropriation therefor.

Senator Torr moved concurrence.

Adopted

SB 36-FN-A, relative to catastrophic costs and school building aid.

Senator Disnard moved concurrence.

Adopted.

SB 61-FN-A, relative to preserving the old state house and making an appropriation therefor.

Senator Blaisdell moved concurrence.

Adopted

SB 23, relative to the executive director of the liquor commission.

Senator Bartlett moved concurrence.

Adopted.

SUBSTITUTE MOTION

SB 5, permitting a corporation to limit the liability of its directors and officers in its articles of incorporation.

Senator Roberge moved to substitute concur for nonconcur.

Adopted.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

SENATE REFUSES TO CONCUR WITH AMENDMENT REQUESTS COMMITTEE OF CONFERENCE

SB 164, relative to licensing ophthalmic dispensers.

Senator Freese moved nonconcurrence and requested a committee of conference.

Adopted

Conferees for the Senate are: Senators Freese, Stephen and Currier.

SB 153-FN-A, establishing a committee to study the AFDC program.

Senator Krasker moved nonconcurrence and requested a committee of conference.

Adopted

Conferees for the Senate are: Senators Krasker, Charbonneau and Bond.

SB 150, relative to the department of transportation federal aid highway appropriation accounts and making an appropriation therefor.

Senator Torr moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Torr, Nelson, and Roberge.

SB 81, relative to the management of court facilities.

Senator St. Jean moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators St. Jean, Bartlett, and Dupont.

SB 90, providing a 4 percent cost of living adjustment for group II members.

Senator Charbonneau moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Delahunty, Charbonneau, and Blaisdell.

SB 88, providing a cost of living adjustment for certain group I members.

Senator Roberge moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Magee, Roberge, and Blaisdell.

SB 77-FN, relative to holiday pay for certain part-time employees.

Senator Blaisdell moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Hough, Torr, and Delahunty.

SB 175-FN-A, making an appropriation to the arts development program.

Senator Blaisdell moved nonconcurrency and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Dupont, Blaisdell, and Poldes.

SB 111, relative to the operation of ski craft.

Senator Bond moved nonconcurrency and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Dupont, Bond, and Blaisdell.

SB 82, relative to judicial retirement pay and to vested rights in judicial retirement compensation.

Senator Blaisdell moved nonconcurrency and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Blaisdell, Hough, and Bartlett.

SB 109-FN-A, establishing a pilot reading recovery program and making an appropriation therefor.

Senator Disnard moved nonconcurrency and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Disnard, Magee, and Bond.

SB 89, providing a 5 percent cost of living adjustment for group I retirement system members and relative to defining "retired state employee" for state employees group insurance purposes.

Senator Charbonneau moved nonconcurrency and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Delahunty, Charbonneau, and Blaisdell.

SB 168, establishing a division of fire service.

Senator Freese moved nonconcurrency and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Freese, Disnard, and Bartlett.

SB 33-A, relative to construction on the Spaulding Turnpike and making an appropriation therefor.

Senator Torr moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Torr, Dupont, and Krasker.

SB 154-FN, A relative to timely distribution of sweepstakes revenues through the foundation aid formula.

Senator Blaisdell moved nonconcurrence and requested a committee of conference.

Adopted.

Conferees for the Senate are: Senators Dupont, Blaisdell, and Bartlett.

HOUSE NONCONCURS WITH SENATE AMENDMENT

HB 135-FN, relative to school administration.

HOUSE CONCURS WITH SENATE AMENDMENTS

HB 503, relative to business and voluntary corporations and reinstating the charters of S.P.B., Inc. and Jefferson, Currier & Company, Inc.

HB 587-FN, relative to special number plates for persons with walking disabilities.

HB 595-FN, to permit teachers who relocate to New Hampshire to purchase their out-of-state service as creditable service in the New Hampshire retirement system.

HB 606-FN, relative to approvable plans for solid waste management districts.

HB 661-FN, relative to notification to downstream municipalities concerning effluent discharges.

HB 681-FN, relative to workers' compensation.

HB 722-FN, regarding solid waste management districts.

HB 39, relative to the distribution of OHRV fees.

HB 45, to increase the age limit relative to the motor vehicle child restraint requirement.

HB 56-FN-A, authorizing a collection program for unwanted pesticides in the possession of farmers and making an appropriation therefor.

HB 96-FN-A, increasing the personal needs allowance.

HB 103-FN, relative to motor vehicle laws.

HB 111, relative to moorings.

HB 41, clarifying the authority of municipalities to form districts for the purpose of hiring municipal prosecutors.

HB 177, authorizing local authorities to reduce the speed limit in business and urban residence districts.

HB 251-FN-A, establishing a committee to study methods of promoting New Hampshire businesses and products overseas and making an appropriation therefor.

HB 300-FN-A, relative to studying access to medical care for persons without health insurance and making an appropriation therefor.

HB 410-FN-A, relative to nursing scholarships and making an appropriation therefor.

HB 429-FN-A, establishing a task force on low provider participation in Medicaid.

HB 433-FN-A, relative to a pool for environmental liability insurance and making an appropriation therefor.

HB 475, permitting a candidate to designate the form in which his name shall be printed on the ballot and relative to the form of state general election ballots.

HB 486-FN, relative to clearing land and cutting timber.

ENROLLED BILLS REPORT

HB 58, appropriating funds for inspection of apiaries and prevention of honey bee colony contamination.

HB 142, relative to liability of expenses for the support and necessities of minors.

HB 150, authorizing the imposition of administrative fines for certain oil pollution control offenses and clarifying terminology in oil pollution control laws.

HB 157, relative to state ski operations at Mount Sunapee and Cannon Mountain and making an appropriation therefor.

HB 579, permitting certain policemen and firemen to join the New Hampshire retirement system.

HB 608, establishing a study committee to examine the procedures of siting, licensing and operation of energy related facilities.

HB 622, relative to vested deferred retirement benefits for group I members.

HB 640, to permit the Wakefield school district to withdraw from the Rochester authorized regional enrollment plan.

HB 643, relative to retention and destruction of district court records, responsibility for payment of costs of court-ordered services, and taxable court costs.

SB 22, relative to certain forestry activities in wetlands

SB 38, relative to fireworks.

SB 96, relative to the Portsmouth district court and making an appropriation therefor.

SB 125, adopting the uniform trade secrets act.

HB 19, regarding the use of the hazardous waste cleanup fund.

HB 120, increasing the amount available for suggestion and incentive awards to state employees.

HB 173, relative to the dedication of the Hampton State Beach life-guard facility and making an appropriation therefor.

HB 187, relative to the rulemaking authority of the board of medicine.

HB 238, permitting competent adults to nominate their own guardians in case of future incapacity.

HB 290, to recognize that the automation activities of the department of revenue administration should be modernized.

HB 616, relative to the public utilities commission.

SB 100, relative to pari-mutuel racing.

HB 28, prohibiting internal combustion engines on Willand Pond in the cities Somersworth and Dover.

HB 80, relative to land under the jurisdiction of the wetlands board and relative to the penalties of the wetlands board.

HB 84, relative to employees of political subdivisions purchasing creditable service in the New Hampshire retirement system.

HB 98, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs.

HB 210, relative to improvements in the fire protection for the state house, phase II and III and making an appropriation therefor.

HB 397, relative to the composition of the dental board.

SB 18, relative to forest and brush fires and enforcement powers of the division of forest and lands.

SB 31, relative to renovation of the Rochester post office as a district court facility.

SB 146, relative to judicial salaries.

SB 174, relative to regulation of estheticians.

HB 532, establishing a committee to study the revenue structure in New Hampshire.

Senator Currier for the committee.

Adopted.

ENROLLED BILLS AMENDMENTS

Enrolled Bill Amendment to HB 651-FN

Amend RSA 170-B:18, I as inserted by section 2 of the bill by replacing lines 4 and 5 with the following:

bureau of vital records and health statistics, division of public health services, shall provide suitable forms for such reports.
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects the terminology of a state agency and a cross reference.

Adopted.

Enrolled Bill Amendment to HB 571-FN

Amend the bill by replacing line 5 in section 3 with the following:

rules will be in effect no later than January 1, 1990.
Senator Currier for the committee.

SENATOR CURRIER: This amendment makes a technical correction only.

Adopted.

Enrolled Bill Amendment to HB 509-FN

Amend paragraph II of section 9 of the bill by replacing lines 1-5 with the following:

II. If any provisions of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provisions or applications, and to this end provisions of this act are severable.
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a technical reference error.

Adopted.

Enrolled Bill Amendment to HB 531-FN

Amend RSA 21-J:8, I(c) as inserted by section 1 of the bill by replacing line 2 with the following:

[taxes] **tax** for unincorporated [places] **towns** and unorganized [towns] **places** under RSA

Amend the introductory paragraph of RSA 79-A:7, II as inserted by section 6 of the bill by replacing line 3 with the following:

located. **If the property is located in an unincorporated town or unorganized**

Amend RSA 673:13, III as inserted by section 11 of the bill by replacing line 1 with the following:

III. The appointing authority or the planning board shall file with

Amend section 25 of the bill by replacing line 1 with the following:

25 Method of Enactment; Unincorporated Towns and Unorganized Places. Amend RSA 675:2, I to

Amend RSA 149-M:14 as inserted by section 32 of the bill by replacing line 1 with the following:

149-M:14 Unincorporated Towns and Unorganized Places. For each
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects an error in the terminology by inserting the phrase "unincorporated towns and unorganized places" as needed. The amendment also corrects a typographical error.

Adopted.

Enrolled Bill Amendment to HB 376-FN

Amend RSA 328-C:6 as inserted by section 1 of the bill by replacing line 7 with the following:

direction and supervision of a physician licensed under RSA 329. Reasonable

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Contingent Reference Change. If HB 571-FN of the 1989 regular session of the general court becomes law, all references to RSA 328-C in this act shall be changed to refer to RSA 328-D.
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a typographical error and also inserts a contingency provision regarding RSA numbering in the bill.

Adopted.

Enrolled Bill Amendment to HB 289

Amend the bill by replacing line 1 in section 1 with the following:

1 Change Definition. Amend RSA 149-M:1, XVII-a to read as follows:

Senator Currier for the committee.

SENATOR CURRIER: This amendment makes a technical correction in an RSA number only.

Adopted.

Enrolled Bill Amendment to SB 60

Amend the bill by replacing section 2 with the following:

2 Contingent Provision. If SB 22 of the 1989 legislative session, "An Act relative to certain forestry activities in wetlands", becomes law, RSA 483-A:1, V as inserted by section 1 of this act shall be renumbered to read as RSA 483-A:1, VI.

3 Effective Date. This act shall take effect 60 days after its passage.

Senator Currier for the committee.

SENATOR CURRIER: This amendments adds a contingency provision to renumber RSA 483-A:1b as inserted in this act to avoid duplicating that paragraph number if SB 22 is enacted into law.

Adopted.

Enrolled Bill Amendment to SB 144-FN

Amend section 1 of the bill by inserting after line 2 the following:

141-E:15 Criminal Penalty; Fine.

Amend RSA 141-E:15, II as inserted by section 1 of the bill by replacing line 4 with the following:

rule adopted under this chapter. Each day of violation shall constitute

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 144-FN

Amend section 1 of the bill by inserting after line 2 the following:

141-E:15 Criminal Penalty; Fine.

Amend RSA 141-E:15, II as inserted by section 1 of the bill by replacing line 4 with the following:

rule adopted under this chapter. Each day of violation shall constitute

SENATOR CURRIER: This amendment corrects a typographical error and inserts a missing section heading.

Adopted.

Enrolled Bill Amendment to SB 60

Amend the bill by replacing section 2 with the following:

2 Contingent Provision. If SB 22 of the 1989 legislative session, "An Act relative to certain forestry activities in wetlands", becomes law, RSA 483-A:1, V as inserted by section 1 of this act shall be renumbered to read as RSA 483-A:1, VI.

3 Effective Date. This act shall take effect 60 days after its passage.

SENATOR CURRIER: This amendment adds contingency to renumber RSA 482A:15 as inserted by the act to avoid duplicating that paragraph number if SB 22 is enacted into law.

Adopted.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time; and that when we recess, we recess to the Call of the Chair.

Adopted.

Thursday, May 18, 1989

Out of Recess.

The Senate met at 10:00 a.m.
A quorum was present.

ENROLLED BILL AMENDMENTS

Enrolled Bill Amendment to HB 516-FN

Amend RSA 149-M:13, II as inserted by section 1 of the bill by replacing line 4 with the following:

bylaws enacted pursuant to this paragraph. Notwithstanding any other

Senator Preston for the Committee.

SENATOR PRESTON: This amendment simply corrects the statutory reference in the bill.

Adopted.

Enrolled Bill Amendment to HB 59

Amend section 1 of the bill by replacing line 4 with the following:

IV; 94:1-a, I; 186:6-a; 188-B:2; 188-D:2, I, III, and IV; and 188-F.
Senator Preston for the Committee.

SENATOR PRESTON: This amendment adds an RSA reference that had been omitted from the bill.

Adopted.

HOUSE MESSAGES

SENATE ACCEDES TO HOUSE REQUEST FOR COMMITTEE OF CONFERENCE

HB 85-FN, relative to employer enrollment oversight and the New Hampshire retirement system and relative to eligibility for membership in the retirement system.

Senator Krasker moved to accede to the House request for a committee of conference.

Adopted

Conferees for the Senate are: Senators Freese, Blaisdell, and Charbonneau.

HB 104-FN, relative to common and contract carriers.

Senator Preston moved to accede to the House request for a committee of conference.

Adopted.

Conferees for the Senate are: Senators Heath, King, and Currier.

HOUSE ACCEDES TO SENATE REQUEST FOR A COMMITTEE OF CONFERENCE

SB 24, relative to liquor store displays and promotions.

SB 27, relative to the liability of landowners for pollutant clean-up.

SB 33-A, relative to construction on the Spaulding Turnpike and making an appropriation therefor.

SB 51-FN, relative to the Christa McAuliffe planetarium.

SB 52, relative to drug paraphernalia.

SB 65-FN, establishing a committee to study mental health insurance benefits.

SB 66, relative to regulation of transporters of solid waste.

SB 71, authorizing the removal of a boat and mooring under certain circumstances.

SB 76, establishing a committee to study durable powers of attorney for health care.

SB 77-FN, relative to holiday pay for certain part-time state employees.

SB 81, relative to the management of court facilities.

SB 82-FN, relative to judicial retirement pay and to vested rights in judicial retirement compensation.

SB 87-FN, relative to exposure of firefighters, emergency medical care providers and police officers to infectious disease.

SB 88, providing a cost of living adjustment for certain group I members.

SB 89-FN, providing a 5 percent cost of living adjustment for group I retirement system members and relative to defining "retired state employee" for state employee group insurance purposes.

SB 90, providing a 4 percent cost of living adjustment for group II members.

SB 91-FN, providing a 20 percent cost of living adjustment for teachers retired prior to July 1957.

SB 94-FN, authorizing the sale of liquor and beverages in additional areas under a liquor license.

SB 97-FN, relative to the distribution of drug forfeiture money.

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality.

SB 106-FN, relative to increasing driver's license fees and relative to issuing temporary driver's licenses to new residents and making an appropriation therefor.

SB 111, relative to operation of ski craft.

SB 113-FN-A, relative to medicaid coverage of dental benefits for all categorically eligible recipients and making an appropriation therefor.

SB 150, relative to the department of transportation federal aid highway appropriation accounts and making an appropriation therefor.

SB 153-FN-A, establishing a committee to study the AFDC program.

SB 154, relative to timely distribution of sweepstakes revenues through the foundation aid formula.

SB 164, relative to licensing ophthalmic dispensers.

SB 168-FN, establishing a division of fire service.

SB 175, making an appropriation to the arts development program.

SB 191-FN-A, relative to telecommunications devices for the deaf.

SB 196-FN, relative to bail reform.

SB 203-FN, relative to employing minors enrolled in school.

SENATE CONCURS WITH HOUSE AMENDMENT

Senator Hough moved that the Senate recede from its position of non-concurrence with the House Amendment and concur with the House and pass the Bill as amended

SB 109-FN-A, establishing a pilot reading recovery program and relative to the state board of education.

Adopted.

ENROLLED BILLS REPORT

HB 41, clarifying the authority of municipalities to form districts for the purpose of hiring municipal prosecutors.

HB 77, relative to the pharmacy board.

HB 81, relative to dam permitting authority.

HB 87, relative to group II accidental disability allowances.

HB 136, relative to education in unorganized places.

HB 332, relative to the collection and reclamation of motor vehicle wastes.

HB 428, regarding the licensing of funeral directors.

HB 536, relative to technical changes in the unemployment compensation law and to changes in the maximum weekly benefit amount.

HB 584, relative to bad checks.

HB 644, relative to the optional veterans' exemption.

HB 726, relative to bylaws which regulate electioneering.

SB 16, relative to post-termination commissions paid to sales representatives.

SB 21, establishing authority for revolving funds for publications and training in the office of state planning.

SB 44, requiring the superior court to adjudicate paternity in contested cases.

SB 107, relative to the right to know law.

SB 122, relative to member retirement deductions for certain group II members.

SB 156, relative to refuse disposal.

SB 171, relative to revenue distribution.

SB 180, relative to abandoned vehicles.

SB 193, relative to the appointment and removal of assistant secretaries of state, and relative to the appointment of a senior deputy secretary of state.

HB 651, relative to adoption fees and information about birthparents.

SB 23, relative to the executive director of the liquor commission.

SB 43, relative to licensing engineers, architects, and land surveyors.

SB 60, relating to recording dock permits.

SB 64, relative to asbestos management penalties.

SB 195, establishing a family support network for families caring for children or adult family members with disabilities at home and making an appropriation therefor.

HB 82, relative to the police standards and training council and the fire standards and training commission.

HB 509, authorizing industrial development financing for the Manchester airport.

HB 531, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places.

HB 571, establishing standards for mediators.

Senator Dupont moved that the Senate be in recess until Tuesday, May 23, 1989 at 1:00 p.m. for the sole purpose of receiving House Messages and Enrolled Bill Reports.

Adopted.

Out of Recess.

Senator Bartlett in the Chair.

CHANGE OF COMMITTEE OF CONFERENCE CONFEREES

SB 111, Replace Senator Bond with Senator McLane

HB 50, Replace Senator Podles with Senator Bartlett.

HB 262, Replace Senators Roberge and Blaisdell with Dupont and Disnard

HB 288-FN, Replace Senator Podles with Senator Bartlett.

HB 327-FN, Replace Senator Roberge with Senator Bond.

HB 650, Replace Senators Heath and King with Senators Dupont and Blaisdell.

HB 654-FN, Replace Senators Freese and Blaisdell with Senators Currier and Nelson.

HB 764, Replace Senator Roberge with Senator Bartlett.

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Tuesday, May 23, 1989 at 1:00 p.m.

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Tuesday, May 23, 1989

The Senate met at 1:00 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray. Lord, we are approaching the light at the end of the tunnel. The session has been like a ball game. Sometimes no runs, no strikes and a lot of errors - the rise of emotions! Only time will tell how we really made out. Bless us Lord.

Amen

Senator Dupont led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

HOUSE MESSAGE

HOUSE REFUSES TO CONCUR WITH AMENDMENTS

The House of Representatives refuses to concur with the Senate in the adoption of the amendments to the following entitled Bill sent down from the Senate:

HB 561, relative to the protection of public funds.

HOUSE CONCURS WITH SENATE

The House of Representatives concurs with the Senate in the passage of the following entitled Bills sent down from the Senate:

SB 45-FN, relative to child support enforcement.

SB 144-FN, relative to blood alcohol tests.

HOUSE CONCURS WITH AMENDMENTS

The House of Representatives concurs with the Senate in its amendments to the following entitled Bills sent down from the Senate:

HB 88-FN, relative to weights and measures.

HB 345-FN, relative to interference with hunters, trappers and fishermen.

HB 394-FN-A, establishing a state emergency response funding committee and relative to hazardous materials incident response.

HB 465, changing the name of the solid waste management council.

HB 487, relative to grandparents' rights.

HB 492, relative to recreational campgrounds and camping parks.

HB 518-FN, establishing a cost containment unit within the department of administrative services to administer the indigent defense eligibility and repayment program and making an appropriation therefor.

HB 528, relative to learners' permits.

HB 546-FN, relative to the water protection assistance program and relative to the closure of shellfish flats on the seacoast.

HB 556, relative to the board of governors, the administrative board, and the commissioner of the department of postsecondary vocational-technical education.

HB 586-FN, relative to siting and permitting of solid and hazardous waste disposal facilities; to forfeiture of property for solid waste management violations; and to low-level radioactive waste management.

HB 605-FN, relative to a recycling logo.

COMMITTEE OF CONFERENCE REPORTS

COMMITTEE OF CONFERENCE REPORT ON HB 29

The committee of conference to which was referred House Bill 29, An Act relative to liquor laws having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by deleting section 1 and renumbering sections 2-5 to read as 1, 2, 3, 4, respectively.

Amend the bill by replacing section 2 with the following:

2 Definitions. Amend RSA 178-B:1, I to read as follows:

178-B:1 Definitions.

I. "Domestic wine" means any wine containing over 6 percent alcohol by volume and not over 24 percent alcohol by volume which is manufactured or bottled in this state from grapes or other fruits grown in this state, or brought into the state in their natural state for the purpose of fermentation and blending with wine produced from New Hampshire grapes or fruits, or wine which is brought into this state by a manufacturer to be blended with wine produced from New Hampshire grapes or fruits by a winery located in this state. The percentage blend of New Hampshire wine shall be [approved by the commission] **at least 5 percent.**

Amend the bill by replacing all after section 4 with the following:

5 Canadian Identification. Amend the introductory paragraph of RSA 175:6-b, I and paragraph I(a) to read as follows:

175:6-b Statement From Purchaser as to Age.

I. For the purposes of RSA 175:6-a, any person making the sale of alcoholic beverages to any person whose age is in question shall require the purchaser to furnish any of the following documentation that [he] **such person** is 21 years of age or over:

(a) A motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, **or province of Canada**, which bears the date of birth, name, address and picture of the licensee.

6 Effective Date. This act shall take effect 60 days after its passage.

*Conferees on the Part
of the Senate*

Sen. Roberge, Dist. 9
Sen. Currier, Dist. 7
Sen. Stephen, Dist. 18

*Conferees on the Part
of the House*

Rep. Kelley, Hills. 13
Rep. Klemm, Rock. 22
Rep. Behrens, Sull. 3
Rep. Lemire, Coos 8

AMENDED ANALYSIS

This bill makes a minor modification in the statutory definition of "domestic wine."

This bill allows a performing arts facility, with the proper license, to serve liquor and beverages one hour before curtain time and on patios open to public view.

The bill also allows the liquor commission to approve the employment of individuals who have been convicted of felonies but are now in good standing and, after consulting with the attorney general, to issue wholesale permits to individuals convicted of certain felonies.

The bill recognizes a Canadian driver's license as a valid form of proof of age for the purposes of purchasing alcoholic beverages. Senator Roberge moved to adopt the Committee of Conference report.

Adopted

COMMITTEE OF CONFERENCE REPORT ON HB 42

The committee of conference to which was referred House Bill 42, An Act relative to actuarial review of rate filings having considered the same, report the same with the following recommendations:

having considered the same, report the committee is unable to reach agreement.

*Conferees on the Part
of the Senate*

Sen. Freese, Dist. 4
Sen. Roberge, Dist. 9
Sen. Blaisdell, Dist. 10

*Conferees on the Part
of the House*

Rep. Fraser, Merr. 6
Rep. Christy, Graf. 11
Rep. Palumbo, Rock. 10
Rep. Tsiros, Straf. 2

Adopted

COMMITTEE OF CONFERENCE REPORT ON HB 50

The committee of conference to which was referred House Bill 50, An Act exempting the department of transportation, the department of safety, and the department of postsecondary vocational-technical education from the authority of the director of information services having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend section 1 of the bill by replacing it with the following:

1 Departments Added. Amend RSA 21-I:9, VIII(a) to read as follows:

(a) He shall exercise no management or other authority over the data processing operations of the liquor commission, the department of employment security, **the department of transportation, the department of safety, department of postsecondary vocational-technical education**, or the university system of New Hampshire.

Amend section 2 of the bill by replacing it with the following:

2 New Section; Prohibition on Future Employment. Amend RSA 21-I by inserting after section 14-a the following new section:

21-I:14-b Prohibition on Future Employment.

I. No commissioner, financial data manager, accounting director, director of information services, or director of plant and property management of the department of administrative services shall accept any employment, including work as a consultant or lobbyist, with any vendor of goods or services holding a valid contract with the department, in excess of \$10,000 over the previous 2 years, until one year after he shall become separated from the department.

II. No vendor of goods or services holding a valid contract with the department, in excess of \$10,000 over the previous 2 years, shall employ any commissioner, financial data manager, accounting director, director of information services or director of plant and property management of the department until one year after such employee has become separated from the department. Any such vendor who violates the provisions of this paragraph shall be barred from bidding on any future contract with the department for 5 years after such violation.

*Conferees on the Part
of the Senate*

Sen. St. Jean, Dist. 20
Sen. Dupont, Dist. 6
Sen. Bartlett, Dist. 19

*Conferees on the Part
of the House*

Rep. MacDonald, Rock. 7
Rep. Drabinowicz, Hills. 32
Rep. Mace, Rock. 21
Rep. Katsakiores, Rock. 7

AMENDED ANALYSIS

This bill exempts the data processing operations of the department of transportation, the department of postsecondary vocational-technical education, and the department of safety from the authority of the director of information services.

The bill also prohibits certain officials within the department of administrative services from being employed by vendors of goods or services, who have had contracts with the department in excess of \$10,000 over the previous 2 years, until one year after such employee has become separated from the department. Vendors in violation of the prohibition will not be allowed to bid on future contracts with the department for 5 years.

Senator Dupont moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 70-A

The committee of conference to which was referred House Bill 70-A, An Act establishing a study committee to examine the vocational education system having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Statement of Intent. It is the intent of the general court to continue with the plan to build regional vocational education centers. The additional appropriation contained in this act is for the purpose of funding this construction.

2 Appropriation Increased. Amend RSA 188-E:10 to read as follows:

188-E:10 Construction Appropriation. The treasurer of the state of New Hampshire is hereby authorized to make available to the state board of education for purposes of constructing regional vocational education centers an amount not to exceed [\$57,500,000] **\$59,000,000**. This appropriation shall be nonlapsing. Authorization for expenditures of such funds shall be made by the state department of education to the treasurer in accordance with this chapter. The treasurer is authorized to issue bonds in accordance with the provisions of RSA 6-A for the purpose of funding this appropriation.

3 State Board of Education Report. The state board of education shall report to the governor, president of the senate, and speaker of the house by December 1, 1989, on the status of the appropriation authorization provided in RSA 188-E:10 as amended by section 2 of this act and the status of any and all regional vocational education centers under construction.

4 Effective Date. This act shall take effect 60 days after its passage.

*Conferees on the Part
of the Senate*

Sen. Dupont, Dist. 6
Sen. Blaisdell, Dist. 10
Sen. Disnard, Dist. 8

*Conferees on the Part
of the House*

Rep. Phelps, Merr. 1
Rep. Marsh, Coos 1
Rep. Peyron, Sull. 2
Rep. Kincaid, Straf. 7

AMENDED ANALYSIS

This bill increases the capital appropriation for funding the construction of regional vocational education centers.

The bill requires that the state board of education submit a progress report on the appropriation made in this bill and on the construction of the centers by December 1, 1989.

Senator Disnard moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 85-FN

The committee of conference to which was referred House Bill 85-FN, An Act relative to employer enrollment oversight and the New Hampshire retirement system and relative to eligibility for membership in the retirement system having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing sections 6 and 7 with the following:

6 New Subdivision; Director of Finance. Amend RSA 100-A by inserting after section 47 the following new subdivision:

Director of Finance

100-A:47-a Appointment; Duties; and Compensation. The executive secretary of the retirement system shall nominate a director of finance for appointment by the board of trustees. The director of finance shall assist the board of trustees in the management of retirement system funds. He shall report directly to the board of trustees or to a person or persons designated by the board and shall serve at their pleasure. He shall be qualified to hold the position by reason of education and experience. The annual salary for the director of finance shall be that prescribed by RSA 94:1-a, Group M.

7 New Position Added; Director of Finance. Amend RSA 94:1-a by inserting in Group M the following new position: Director of finance, New Hampshire retirement system.

*Conferees on the Part
of the Senate*

Sen. Freese, Dist. 4
Sen. Blaisdell, Dist. 10
Sen. Charbonneau, Dist. 14

*Conferees on the Part
of the House*

Rep. MacDonald, Carr. 6
Rep. Campbell, Belk. 5
Rep. King, Hills. 42
Rep. Ward, Graf. 1

AMENDED ANALYSIS

This bill requires an employer who fails to enroll an employee in the retirement system at the appropriate eligibility period to pay the cost of the actuary's statement used to determine the cost of purchasing prior service credit. The actuary's statement is based on the accrued liability cost of prior service credit.

The bill determines what share the employer and the employee pay for the cost of prior service in order to receive prior service credit, and determines fault for failure to enroll employees in the retirement system.

The bill repeals the requirement that an employee must work for 6 months in order to be eligible for group I or group II membership in the New Hampshire retirement system.

The bill adds a requirement that elected and appointed officials, and officers and employees of local retirement systems, be given notice of their option to join the New Hampshire retirement system.

The bill also authorizes the executive secretary of the New Hampshire retirement system to nominate a director of finance for appointment by the board of trustees. The director shall assist the board in the management of retirement system funds. The director's position is unclassified, and placed in Group M.

Senator Freese moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 104-FN

The committee of conference to which was referred House Bill 104-FN, An Act relative to common and contract carriers having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Declaration of Purpose. It is the intent of this act to insure that certificates or permits issued pursuant to RSA 375-B for refuse haulers shall not be granted for a particular geographic area.

Amend the bill by replacing section 22 with the following:

22 New Paragraphs; Common and Contract Carriers Defined. Amend RSA 375-A:1 by inserting after paragraph IV the following new paragraphs:

V. "Common carrier" means a person holding itself out to the general public to provide motor vehicle transportation for compensation over regular or irregular routes, or both.

VI. "Contract carrier" means a person providing motor vehicle transportation for compensation under continuing agreements with one or more persons:

- (a) By assigning motor vehicles for a continuing period of time
- (b) Designed to meet the distinct needs of each such person.

Amend the bill by renumbering sections 25-30 to read as 23, 24, 25, 26, 27, and 28 respectively.

Amend the bill by replacing section 23 with the following:

23 Penalty Changed. RSA 375-A:19 is repealed and reenacted to read as follows:

375-A:19 Penalty.

I. Except as provided in subparagraph II, any person violating any provision of this chapter, or any rule or order adopted or issued under this chapter, or any term or condition of any certificate, permit or license shall:

(a) For a first offense, be guilty of a violation and shall be fined not less than \$100.

(b) For a second offense, within a 12-month period preceding the date of the second offense, be guilty of a violation and shall be fined not less than \$250.

II. Any person found guilty of operating after suspension or revocation of rights, for a first offense, shall be guilty of a violation and shall be fined not less than \$250. For a second such offense, within a 12-month period, such person shall be guilty of a violation and shall be fined not less than \$500.

III. Any person found guilty of a third and subsequent offense as described under paragraph I, paragraph II, or paragraphs I and II combined, in a 12-month period preceding a third or subsequent offense, shall be guilty of a misdemeanor and shall be fined not less than \$500.

Amend the bill by replacing section 28 with the following:

29 Penalty Changed. RSA 375-B:24 is repealed and reenacted to read as follows:

375-B:24 Penalty.

I. Except as provided in paragraph II, any person violating any provision of this chapter, or any rule or order adopted or issued under this chapter, or any term or condition of any certificate, permit or license shall:

(a) For a first offense, be guilty of a violation and shall be fined not less than \$100.

(b) For a second offense, within a 12-month period preceding the date of the second offense, be guilty of a violation and shall be fined not less than \$250.

II. Any person found guilty of operating after suspension or revocation of rights, for a first offense, shall be guilty of a violation and shall be fined not less than \$250. For a second such offense, within a 12-month period, such person shall be guilty of a violation and shall be fined not less than \$500.

III. Any person found guilty of a third and subsequent offense as described under paragraph I, paragraph II, or paragraphs I and II

combined, in a 12-month period preceding a third or subsequent offense, shall be guilty of a misdemeanor and shall be fined not less than \$500.

30 Penalty Changed. RSA 376:27 is repealed and reenacted to read as follows:

376:27 Penalty.

I. Except as provided in paragraph II, any person violating any provision of this chapter, or any rule or order adopted or issued under this chapter, or any term or condition of any certificate, permit or license shall:

(a) For a first offense, be guilty of a violation and shall be fined not less than \$100.

(b) For a second offense, within a 12-month period preceding the date of the second offense, be guilty of a violation and shall be fined not less than \$250.

II. Any person found guilty of operating after suspension or revocation of rights, for a first offense, shall be guilty of a violation and shall be fined not less than \$250. For a second such offense, within a 12-month period, such person shall be guilty of a violation and shall be fined not less than \$500.

III. Any person found guilty of a third and subsequent offense as described under paragraph I, paragraph II, or paragraph I and II combined, in a 12-month period preceding a third or subsequent offense, shall be guilty of a misdemeanor and shall be not less than \$500.

31 Effective Date. This act shall take effect July 1, 1989.

*Conferees on the Part
of the Senate*

Sen. Heath, Dist. 3
Sen. King, Dist. 2
Sen. Currier, Dist. 7

*Conferees on the Part
of the House*

Rep. Stewart, Graf. 4
Rep. Flanders, Rock. 10
Rep. Raynowska, Rock. 20
Rep. Turgeon, Hills. 46

AMENDED ANALYSIS

This bill amends the statutes dealing with common and contract carriers. The bill clarifies present law concerning the requirements for the issuance of permits for and the authority over contract carriers. The bill standardizes annual vehicle registration fees for common and contract carriers. The bill makes it clear that requirements imposed on carriers of property include carriers of household goods.

The bill details registration requirements for common and contract carriers by motor vehicle engaged in interstate commerce and revises various penalty provisions.

This bill also provides for the regulation of refuse transporters under existing provisions for common and contract carriers. It exempts refuse transporters from the requirement of demonstrating that the service is consistent with the public interest prior to the issuance of a permit.

Senator Heath moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 117-FN

The committee of conference to which was referred House Bill 117-FN, An Act relative to feeding garbage to swine having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

Conferees on the Part of the Senate

Sen. Currier, Dist. 7
Sen. Bass, Dist. 11
Sen. Krasker, Dist. 24

Conferees on the Part of the House

Rep. Teschner, Graf. 5
Rep. Greene, Rock. 18
Rep. Sawyer, Ches. 6
Rep. Trombly, Merr. 4

Senator Currier moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 146-FN

The committee of conference to which was referred House Bill 146-FN, An Act relative to the milk standard having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 2 with the following:

2 Milk Content Standard. Amend RSA 184:79, XXII to read as follows:

XXII. The term "milk" means the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free. The term "milk" unqualified means cow's milk. It shall contain not less than 11-85/100 percent of milk solids, nor less than [3-35/100] **3-25/100** percent of milk fat.

*Conferees on the Part
of the Senate*

Sen. Bass, Dist. 11
Sen. Currier, Dist. 7
Sen. Preston, Dist. 23

*Conferees on the Part
of the House*

Rep. E. Greene, Rock. 18
Rep. Teschner, Graf. 5
Rep. Trombly, Merr. 4
Rep. Millard, Merr. 4

AMENDED ANALYSIS

This bill requires that milk contain not less than 3-25/100 percent milk fat.

The bill also requires the milk sanitation board to adopt all of its rules in accordance with RSA 541-A. The bill also adjusts the composition of the milk sanitation board, by removing the public member and the town or city health officer and adding 2 produce permit holders.

Senator Bass moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 206

The committee of conference to which was referred House Bill 206, An Act prohibiting the use and operation of petroleum-powered boats on Bradley Lake in the town of Andover having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

*Conferees on the Part
of the Senate*

Sen. McLane, Dist. 15
 Sen. Bond, Dist. 1
 Sen. Krasker, Dist. 24

*Conferees on the Part
of the House*

Rep. Haynes, Rock. 9
 Rep. Raynowska, Rock. 20
 Rep. Desrochers, Hills. 47
 Rep. Emerton, Hills. 6

Senator McLane moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 222

The committee of conference to which was referred House Bill 222, An Act limiting horsepower of motors on Indian Pond in the Town of Orford having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

*Conferees on the Part
of the Senate*

Sen. Bond, Dist. 1
 Sen. Currier, Dist. 7
 Sen. St. Jean, Dist. 20

*Conferees on the Part
of the House*

Rep. Stewart, Graf. 4
 Rep. Dodge, Hills. 13
 Rep. Turgeon, Hills. 46
 Rep. Markley, Graf. 6

Senator Bond moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 260-FN

The committee of conference to which was referred House Bill 260-FN, An Act relative to catastrophic aid, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend paragraphs I and II of section 1 of the bill by replacing them with the following:

I. In group N:

- (a) Director of instructional services, department of education.
- (b) Director of standards and certification, department of education.
- (c) Director of vocational rehabilitation, department of education.

II. In group P: deputy commissioner, department of education.

Amend the bill by replacing section 3 with the following:

3 Applicability. An incumbent whose salary range is affected by this act shall retain the salary set by the fiscal committee on November 3, 1987 pursuant to 1986, 41:27 and shall be eligible for all future increases as long as he remains in his current position.

*Conferees on the Part
of the Senate*

Sen. Hough, Dist. 5
Sen. Blaisdell, Dist. 10
Sen. Bartlett, Dist. 19

*Conferees on the Part
of the House*

Rep. Bolduc, Belk. 10
Rep. Kidder, Merr. 2
Rep. Hager, Merr. 21
Rep. Guest, Graf. 12

AMENDED ANALYSIS

This bill inserts 3 positions in the department of education in group N of the unclassified salary ranges. The position of deputy commissioner of education is transferred from group O to group P.

The bill also protects those persons whose current positions and salaries are affected by such position group changes so that no loss of salary takes place for each individual.

Senator Blaisdell moved to adopt the Committee of Conference report.

SENATOR JOHNSON: What are the consequences or the thrust of the amendment that is on the floor now?

SENATOR BLAISDELL: What we did here, Senator Johnson, was to go through with the report that came through fiscal on the Department of Education and the recommendations of the Department of Education. We felt that we couldn't wait any longer and this is how we did it.

SENATOR JOHNSON: Couldn't wait any longer to do what?

SENATOR BLAISDELL: There were two other bills that we have been following that weren't going to pass. So what we tried to do was to keep our position as it has been.

SENATOR NELSON: Senator Blaisdell, I want to make sure that the first half of the bill, the catastrophic aid, does this change it or is it just that this has been amended on to it?

SENATOR BLAISDELL: None whatsoever. It doesn't change it all. That was the Bob Guess bill that we used to do this with. It was done on another piece of legislation. This was just used as a vehicle to be able to do what we wanted to do.

SENATOR NELSON: And, you say that you up-graded the position to an N.

SENATOR BLAISDELL: No, we did not up-grade it, we just made it level.

SENATOR BARTLETT: They put into place for the existing people the salaries which were approved by fiscal in 1987. And then they established the positions and numbers and the alphabet for those people to follow.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 262-FN

The committee of conference to which was referred House Bill 262-FN, An Act extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a joint oversight committee and related committees to study issues regarding children having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Committee to Study New Hampshire Juvenile Justice System; Report Date Extended. Amend 1988, 204:5 to read as follows:

204:5 Duties; Report. The committee shall study the New Hampshire statutory provisions relative to juvenile justice and delinquency, with emphasis on procedural processes, and the minimum age at which a person should be held criminally responsible for serious offenses. The committee shall make appropriate recommendations as to any statutory changes which would address the needs of juvenile offenders. Secretarial and staff assistance shall be provided by the house of representatives. The committee shall prepare a report describing its determination and recommendations. Copies of this report shall be delivered to the governor, the speaker of the house of representatives, and the president of the senate by [May 1, 1989] **March 31, 1990.**

2 Joint Oversight Committee Established. A joint oversight committee on issues regarding children is hereby established. The joint oversight committee shall oversee the activities of and act in an advisory capacity to the 3 committees established in sections 3-5 of this act. The joint oversight committee shall submit a report, including recommendations for legislation, to the speaker of the house, the senate president, and the governor on or before November 15, 1990. The joint oversight committee shall consist of the following members:

I. The chairperson of the house children, youth and juvenile justice committee and the chairperson of the senate public institutions, health and human services committee, who shall serve as co-chairpersons of the joint oversight committee.

II. The chairpersons of the committee on placements and services; the committee on custody and care; and the committee on RSA review and coordination.

III. The governor, or designee.

IV. The director of the division for children and youth services.

V. A district court justice, nominated by the District Court Judges Association and approved by governor and council.

VI. An attorney, nominated by the New Hampshire Bar Association and approved by governor and council.

3 Committee on Placements and Services.

I. There is established a committee on placements and services. The committee shall consist of the following members:

(a) The vice-chairperson of the house children, youth and juvenile justice committee, who shall serve as committee chairperson.

(b) Two house members, appointed by the speaker of the house, one of whom shall be a member of the children, youth and juvenile justice committee and one of whom shall be a member of the appropriations committee.

(c) Two senate members appointed by the senate president, one of whom shall be a member of the public institutions committee and one of whom shall be a member of the finance committee.

(d) One district court justice, nominated by the District Court Judges Association and approved by governor and council.

(e) The director of the division for children and youth services, or designee.

(f) One attorney, nominated by the New Hampshire Bar Association and approved by governor and council.

II. The committee shall study and monitor all aspects of services provided to children through the division for children and youth services. The committee shall examine the division's changing needs and the efficiency of the division's implementation of legislative programs. The committee shall also examine all financial aspects of the operation of the division. The committee shall evaluate diversion programs for cost and effectiveness of intervention and prevention of recidivism. The division for children and youth services shall establish and operate a case financial tracking and management system for the most expensive 10 percent of its cases and shall report quarterly to the committee on the results of the system. The committee shall in turn report to the joint oversight committee on such results by October 15, 1990, to be included in its report to the speaker of the house, the senate president and the governor.

4 Committee on Custody and Care.

I. There is established a committee on custody and care. The committee shall consist of the following members:

(a) The vice-chairperson of the senate public institutions, health and human services committee, who shall serve as committee chairperson.

(b) Two house members, appointed by the speaker of the house.

(c) Two senate members, appointed by the senate president.

(d) One public member from the care provider sector, appointed by the governor.

(e) The director of the division for children and youth services, or designee.

II. The committee shall:

(a) Study the means of recruitment of appropriate foster families.

(b) Study the initial and ongoing training of foster families.

(c) Examine the availability of ongoing support provided by the division for children and youth services to foster families.

(d) Review annually the sufficiency of foster family allowances.

(e) Study insurance offered by the state to foster parents under RSA 161:4.

(f) Make written recommendations concerning changes in any of the above areas to the joint oversight committee and perform such other activities as it is directed to perform by the joint oversight committee. All such activities shall be completed by October 15, 1990.

5 Committee on RSA Review and Coordination.

I. There is established a committee on RSA review and coordination. The committee shall consist of the following members:

(a) One member of the house children, youth and juvenile justice committee, who shall be appointed by the speaker and who shall serve as chairperson of the subcommittee.

(b) Two house members appointed by the speaker of the house, one of whom shall be a member of the house judiciary committee.

(c) Three senate members appointed by the senate president, one of whom shall be a member of the senate judiciary committee.

(d) The director of the division for children and youth services or designee, to serve in an advisory capacity on technical drafting issues.

II. The committee shall study the statutes relative to placements, custody and care of and services to children, and make legislative recommendations to the joint oversight committee by October 15, 1990.

6 Committee Established

I. There is established a study committee to examine the issue of corporal punishment and the licensing and regulation of private kindergartens and nursery schools in the state. The duties of the committee shall be:

(a) To study various state laws on corporal punishment.

(b) To recommend coordinated administrative guidelines for regulating corporal punishment.

(c) To recommend enforcement procedures and penalties for violations of guidelines recommended under subparagraph (b).

(d) To recommend procedures for licensing and regulating public and private nursery schools.

(e) To recommend procedures for cooperation among all agencies involved in the approval and licensing of public and private pre-school programs for handicapped and non-handicapped students.

(f) To identify resources needed to carry out recommendations made pursuant to this section.

II. Membership. The membership of the committee shall be:

(a) Four members from the department of education, appointed by the commissioner of education.

(b) Three members from the department of health and human services, appointed by the commissioner of health and human services.

(c) Two members representing the interest of private schools of religious affiliation, appointed by the state board of education.

(d) One member from a nonpublic school advisory council, appointed by the state board of education.

III. The first meeting of the committee shall be called by the commissioner of education or designee and shall take place within 30 days after the effective date of this act. The chair of the committee shall be chosen by a majority vote of the members at the first meeting.

IV. The committee shall make a report of its findings and recommendations, including any proposed legislation, to the speaker of the house, the president of the senate, and the governor, on or before October 1, 1989.

7 Repeal. The following are repealed:

I. 1987, 402:28, relative to a joint committee to study services provided to children.

II. RSA 170-E:23-26, relative to the committee on foster families.

8 Effective Date. This act shall take effect upon its passage.

*Conferees on the Part
of the Senate*

Sen. Dupont, Dist. 6
Sen. Blaisdell, Dist. 8
Sen. Podles, Dist. 16

*Conferees on the Part
of the House*

Rep. Bean, Graf. 13
Rep. McCain, Rock. 11
Rep. Bowers, Hills. 11
Rep. Nordgren, Graf. 12

AMENDED ANALYSIS

This bill extends the reporting date for the committee to study the juvenile justice system from May 1, 1989, to March 31, 1989.

This bill establishes a joint oversight committee and 3 related committees on issues regarding children. The related committees are on placements of and services to children; custody and care of children; and review and coordination of statutes. The committees are required to submit certain reports and the joint oversight committee is directed to submit an report, including recommendations for legislation, by November 15 to the speaker of the house, the senate president, and the governor.

This bill also establishes a study committee to examine the issue of corporal punishment and the licensing and regulation of private kindergartens and nursery schools in the state.

Senator Dupont moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 270-FN-A

The committee of conference to which was referred House Bill 270-FN-A, An Act relative to motorcycle safety, establishing a motorcycle rider safety fund, and making a continual appropriation therefor having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as amended by the House.

Conferees on the Part of the Senate

Sen. Johnson, Dist. 17

Sen. King, Dist. 2

Sen. Currier, Dist. 7

Conferees on the Part of the House

Rep. Gordon, Ches. 5

Rep. Haynes, Rock. 9

Rep. Palumbo, Rock. 10

Rep. Nelson, Coos 8

Senator Johnson moved to adopt the Committee of Conference report.

Adopted.

SUSPENSION OF THE RULES

Senator Dupont moves suspension of Joint Rule 20d to allow the Senate to act on HB 273 Committee of Conference Report.

Adopted. (2/3 Votes.)

Recess.

Out of Recess.

Senator Dupont in the Chair.

COMMITTEE OF CONFERENCE REPORT ON HB 273-FN

The committee of conference to which was referred House Bill 273-FN, An Act authorizing the transfer of sick and annual leave and longevity credit for certain state employees having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the title of the bill by replacing it with the following:

AN ACT

authorizing the transfer of sick and annual leave and longevity credit for certain state employees, relative to certain salaries and relative to the department of administrative services.

Amend the bill by replacing all after section 4 with the following:

5 Applicability. The provisions of sections 1-4 of this act shall apply as a remedial measure, to any classified, unclassified, unclassified legislative employee, or nonclassified employee who transferred, without a break in service, to another aspect of state service on or after January 1, 1987.

6 Salaries. Amend RSA 94:1-a, I by inserting:

I. In group K:

- (a) Assistant secretary of state
- (b) Risk management administrator

II. In group M:

- (a) State archivist
- (b) Director, police standards and training council
- (c) State veterinarian
- (d) Assistant insurance commissioner

III. In group O:

- (a) Deputy bank commissioner
- (b) Deputy secretary of state

IV. In group P:

- (a) State treasurer
- (b) Secretary of state
- (c) Executive director, sweepstakes commission
- (d) Assistant commissioner, administrative services

V. In group Q:

- (a) Senior physician/dentist, division of public health services.
- (b) Senior physician, division of human services.
- (c) Senior physician/dentist, department of corrections.

VI. In group R:

- (a) Bank commissioner
- (b) Adjutant general
- (c) Insurance commissioner
- (d) Physician epidemiologist

7 Salaries. Amend RSA 94:1-a, I by deleting:

I. In group J:

- (a) Assistant secretary of state
- (b) State archivist

II. In group K, Director; police standards and training council.

III. In group L:

- (a) Assistant insurance commissioner.
- (b) State veterinarian.

IV. In group N:

- (a) Deputy bank commissioner
- (b) Deputy secretary of state

V. In group O:

- (a) State treasurer
- (b) Secretary of state
- (c) Bank commissioner
- (d) Adjutant general
- (e) Executive director; sweepstakes commission
- (f) Budget officer

VI. In group T, Insurance commissioner.

8 Applicability. An incumbent whose salary range is decreased pursuant to this act shall retain his current salary and shall be eligible for all future increases as long as he remains in his current position.

9 Classification Change. Amend the introductory paragraph of RSA 21-I:8, II to read as follows:

II. The bureau of risk management under the supervision of [a classified administrator of] **an unclassified risk management [who] administrator, nominated by the commissioner of administrative services for appointment by the governor, with the consent of the council, who shall be qualified by education and experience and shall serve for a term of 4 years. The risk management administrator** shall be responsible for the following functions, in accordance with applicable laws:

10 Incumbent. The incumbent classified director of risk management, also known as the administrator of risk management, on the effective date of this act shall become the unclassified risk management administrator at the salary step in group K which is not less than his current classified salary.

11 Transition. Physicians and dentists employed in classified positions in the division of public health services and division of human services, department of health and human services, and in the department of corrections, shall be appointed in accordance with the provisions of section 6 of this act no later than 60 days from the effective date of this act. Any classified positions established for the purpose of employing physicians and dentists within the division of

public health services and the division of human services, department of health and human services, and in the department of corrections, vacant on the effective date of this act, are hereby abolished.

12 New Section; Unclassified Salaries. Amend RSA 94 by inserting after section 94:1-c the following new section:

94:1-d Allocation Decisions. Each acting director or administrative head of any state agency or department shall submit his decision relative to appropriate letter grades for any new position, vacancy, upgrade or downgrade occurring in his agency or department to the fiscal committee, established in RSA 14:30-a, for its review and temporary letter grade allocation.

13 New Paragraph; Duties Added. Amend RSA 14:30-a by inserting after paragraph III the following new paragraph:

IV. The fiscal committee shall establish procedures to review the allocation decisions submitted to it by the acting directors or administrative heads of state agencies or departments under RSA 94:1-d and shall set a temporary letter grade allocation for each position referred. The fiscal committee shall propose legislation recommending permanent salary levels for each position for introduction in the next regular session of the general court.

14 Definition Added; Budget Director. Amend RSA 21-I:1-a by inserting after paragraph I the following new paragraph:

I-a. "Budget director" means the assistant commissioner of administrative services.

15 Name Change; Assistant Commissioner. Amend RSA 21-I:2, II to read as follows:

II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each division director, the [budget officer] **assistant commissioner**, the internal auditor, the financial data manager and the senior operational analyst. The division directors, the [budget officer] **assistant commissioner**, the internal auditor, the financial data manager and the senior operational analyst shall each serve for a term of 4 years.

16 Name Change; Budget Director. Amend the introductory paragraph of RSA 21-I:6 to read as follows:

There is hereby established within the office of the commissioner of administrative services a state budget unit under the supervision of an unclassified budget [officer] **director** who shall:

17 Name Change; Budget Director. Amend RSA 21-I:7, I to read as follows:

I. Assist the commissioner by supplying analytical reports of examinations conducted of the department's various divisions, bureaus, units, programs and functions. Examinations will be conducted and reports prepared in accordance with standards of governmental auditing and program evaluation specified by authori-

tative national standard setting bodies. Reports shall contain analysis, appraisals, comments and recommendations relating to the accuracy and competence of accounting, financial, and management procedures in use. Organizational and operational practices may also be reviewed by the budget [officer] **director**.

18Amend RSA 21-I by inserting after section 3 the following new section:

21-I:3-a Assistant Commissioner.

I. The commissioner of administrative services shall nominate an assistant commissioner as provided in RSA 21-I:2, II. The assistant commissioner shall be qualified to hold that position by reason of education and experience.

II. The assistant commissioner shall serve as budget director and shall perform such duties as are assigned by the commissioner. The assistant commissioner shall assume the duties of the commissioner in the event that the commissioner is unable for any reason to perform such duties.

III. The salary of the assistant commissioner shall be as specified in RSA 94:1-a, I.

19 Applicability. The incumbent budget officer, department of administrative services, shall assume the position and salary of the assistant commissioner, department of administrative services, upon the effective date of this section.

20 Effective Date. This act shall take effect upon its passage.

*Conferees on the Part
of the Senate*

Sen. Bartlett, Dist. 19
Sen. Freese, Dist. 4
Sen. Blaisdell, Dist. 10

*Conferees on the Part
of the House*

Rep. Powers, Carr. 5
Rep. Kidder, Merr. 2
Rep. Palumbo, Rock. 10
Rep. King, Hills. 42

AMENDED ANALYSIS

This bill authorizes a legislative employee who transfers to the classified state service and a classified employee who becomes a legislative employee, without a break in service, to transfer full credit for accumulated sick leave and annual leave.

The bill permits all state employees to transfer their years of service from one system to another for the purposes of longevity pay.

This bill inserts and changes the salary ranges for certain classified and unclassified state employees. The bill provides that any incumbent whose salary range is decreased shall retain his current salary with all future increases as long as he remains in his current position.

This bill places physicians and dentists employed by the department of health and human services and the department of corrections and who are currently classified employees into the unclassified system.

The bill requires the administrative head of a state agency or department to submit his allocation decision relative to letter grades for new positions, vacancies, upgrades and downgrades in his agency or department to the fiscal committee established in RSA 14:30-a for its review and temporary letter grade allocation. The fiscal committee shall recommend permanent salary levels to the general court during the next regular legislative session.

The bill also creates the position of assistant commissioner in the department of administrative services, included in group P. The assistant commissioner shall serve as the budget director of administrative services and shall assume the duties of the commissioner in the event that the commissioner is unable for any reason to perform such duties.

The bill also abolishes the position of budget officer in the department of administrative services and provides that the incumbent budget officer shall assume the position and salary of the assistant commissioner.

Senator Freese moved to adopt the Committee of Conference report.

SENATOR JOHNSON: Senator Freese, can you tell me if there are any new salary adjustments that have been made subsequent to the introduction of the Senate floor amendment that increased a whole series of salaries?

SENATOR FREESE: I yield to Senator Bartlett.

SENATOR BARTLETT: Senator Johnson, in response to your question, it is affirmative. There is on pages 2, 4, 8, Executive Director Sweeps Commission, Assistant Commissioner of Administrative Services. In group Q all three were entered at the request of the House. Those four members in group R were formerly in group S when this piece of legislation passed. The first three were in group S, the House lowered them from grouped S to group R, or the committee of conference did. The position of epidemiologist was added. And the Insurance Commissioner was reduced from S to R.

SENATOR NELSON: I just had a question of page 4 of this particular document. I noticed that there is new language in here that is hard to figure out what went in and what I am supposed to be addressing here. And if this isn't correct maybe you will just let me

know. I notice on page 4, roman numeral II that you have made a classified position, unclassified and you have put a term of 4 years on that. The question is what, if in fact, this person wants to serve or they want him or her in longer; what would happen, are they restricted to just the four years?

SENATOR BARTLETT: This is gubernatorial appointment. We made an error when we passed the original legislation on to the Senate and gave a life-time appointment. We did not feel that that was really justified. This term of office is a four year term of office and if administrative services recommends to the governor's council, they appoint the chair for four years, which is not unusual in unclassified appointments. If they choose to reappoint him, they can. There is nothing that says he shall only serve four years. Many of the commissioners only serve three, four or six years. This one happened to have a four year term.

SENATOR JOHNSON: I rise in opposition to the committee of conference report on HB 273-FN. I would like to remind this Senate that it was only about a week and half or two weeks ago that the Executive Departments Committee reported out HB 350 with the recommendation which was voted on by this body to re-refer HB 350 to the Executive Departments Committee. And I think we made a fairly extensive report at that time indicating that the testimony at the hearing was mixed and that there were inequities that appeared to be in HB 350 as presented and this body voted favorably as I remember without descent on HB 350, the recommendation to re-refer it to the committee. What we are now doing is totally undoing what we did about two weeks ago in voting to re-refer HB 350 to committee. So it is for that reason, that I oppose this bill. We really haven't had a chance to look at it in any great detail. And it kind of makes a mockery of what we did a couple of weeks ago.

SENATOR NELSON: Senator Johnson, on page 5 of the bill and I notice you seem to be very versed on this, it says "13 is a new paragraph" and roman numeral 4. What do you think of this? The fiscal committee shall establish procedures and set a temporary letter grade. Is this a brand new kind of thing or does the legislature normally do this?

SENATOR JOHNSON: Senator Nelson, I really can't answer that with any great detail. I don't know what the answer to that is. All I know is that we are making some major salary adjustments just almost off the cuff and it is for that reason that I am going to oppose those and call for a roll call.

SENATOR STEPHEN: Senator Bartlett, listening to Senator Johnson, on the HB 350 that is re-referred to the Executive Departments, is it fair to just give certain people that raise and not attend to the whole 350 matrix? I just want to understand for my own.

SENATOR BARTLETT: I think that is a good question. And as I said on the floor about 10 days ago when we originally sent 273 out here as amended that there was no guarantee that 350 is going to pass. You sat in the Executive Committee knowing that. Many of these people who are listed on here have been promised that when the matrix was done that they would receive their pay. It has been approximately a year and a half since they started dealing with the matrix that is talking about raising pay. These people, according to most of their superiors and we find you'll notice the governor now has looked them over and doesn't seem to have much objection to giving these people the proper pay for their position. Therefore, we felt that it was fair at this time to say "Okay you are good employees, we are going to raise your salary to a level which we think is fair" And if 350 passes and there is a change up or down then that will take care of it in the future.

SENATOR STEPHEN: Just to understand, Senator Bartlett, and I understand what you are saying, but is it fair, as a business man, that you are going to review the whole agency and some people who were downgraded to give them raises. Is it fair right now to just give a certain few? That is what bothers me.

SENATOR BARTLETT: Senator Stephen, as a business man I would have done this without re-referring it and it would have been all over and would have been history. But we are in the legislative process. And you know the legislative process doesn't work like the business world. And these people have been subjected to a salary lower than what their position should be and I believe that no one in here is going to lose any money only those people involved and this thing will gain. And you will notice there were 4 in there under veterinarian, dentist and physician who have gone from classified to unclassified because of the difficulties to find people to fill those positions. The state in most cases does not pay exorbitant wages. They have good benefits, but they don't pay exorbitant wages.

SENATOR STEPHEN: Senator Bartlett, wouldn't you think it would be fair then if the Executive Committee did specify that we will review this in the study committee in January or February, isn't fair just to wait and review the whole agenda.

SENATOR BARTLETT: I don't know as it is fair to ask these people to wait another six months. We have already asked them to wait a year and a half. The Executive Committee by re-referral will have to report out in the first five days of the legislative session in 1990. But by that time the individuals in here especially those who were classified and going to be unclassified we may not be able to fill those positions and those people who are up-graded here will be receiving their salary for six months. There is no guarantee, in this legislative process, that any change will come under HB 350 in the next session.

SENATOR PODLES: Senator Bartlett, could you tell me that if, when the raise becomes effective for all state employees, do these people in addition to what they are getting here are also going to get that raise? Could you make that clear?

SENATOR BARTLETT: They will get the same thing in the raise that if 350 passes, that means all people will get a 5 percent raise. This is not anything to be confused with the state employees raise. This is a position raise in a slot. If they go from alphabet soup, as we call it, into the right matrix then they would have gotten their raise. They get their raise whether they stay in the previous position or not. It is not similar to what we are talking about the judges. The judges don't come in the matrix of the state or the alphabet soup.

SENATOR PODLES: I still don't understand. My question is these people under this bill will get a raise. When the state employees get their raise, will these people in addition to what they are getting here also get a raise?

SENATOR BARTLETT: That is correct.

SENATOR FREESE: I rise in support of this legislation. This is an adjustment to salaries that are deserved for the most part. The Senate voted favorably on this bill 10 days to two weeks ago. It went to the House and the House added a few more members as occurred in committee of conference. I think it is an appropriate bill to support. It will not affect the study on HB 350. That can be done during the summer months, and it is mandated to come back into this body in January, 1990. There will be a lot of studying done on that bill and some adjustments that will be made, probably upwards and downwards. So I support this committee of conference report that is before us and I hope the Senate will do likewise.

SENATOR DISNARD: I reluctantly support this because of the committee of conference procedure. Committee of conference met on this and I would hate to have a particular issue in my community

approved by the committee of conference and some people who were not part of the committee of conference vote it down. I think because of the committee procedure we should approve this.

Roll Call requested by Senator Johnson .

Seconded by Senator Podles

The following Senators voted yes: Bond, King, Heath, Freese, Hough, Dupont, Currier, Disnard, Roberge, Blaisdell, Bass, Magee, Nelson, McLane, Bartlett, Torr, Preston, Krasker.

The following voted no: Charbonneau, Podles, Johnson, Stephen, Delahunty.

Roll Call Result: 18 Yeas 5 Nays
Adopted.

Recess.

Out of Recess.

Senator Bartlett in the Chair.

COMMITTEE OF CONFERENCE REPORT ON HB 288-FN

The committee of conference to which was referred House Bill 288-FN, An Act relative to penalties for aggravated DWI and for negligent homicide having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after section 2 with the following:

3 New Section; Drivers' Licenses. Amend RSA 263 by inserting after section 56-a the following new section:

263:56-b Revocation or Denial for Drugs or Alcohol Involvement.

I. Any person who is 15 years of age or older and not yet 18 years of age on the date of the incident, who is convicted, found to be delinquent under RSA 169-B. or found to be in need of services under RSA 169-D, for any offense involving the sale, possession, use, or abuse of alcohol or of controlled drugs as defined in RSA 318-B:1, VI, or of a controlled drug analog as defined under RSA 318-B:1, VI-a, may at the discretion of the court be subject to the revocation or

denial of a driver's license as provided in this section. Notwithstanding RSA 169-B:35 or any other law regarding confidentiality, any court which convicts or makes a finding that an offense described in this section has occurred involving a person who meets the age limits specified in this section shall forward a notice of such conviction or finding to the director. The director shall maintain the confidentiality of notices received.

II. The director shall revoke the driver's license or deny an application for a license for not less than 90 days but not more than one year on the first finding or conviction under paragraph I, and not less than 6 months but not more than 2 years for a subsequent finding or conviction; provided, however, that the director shall not revoke or deny a license under this paragraph without first giving the person an opportunity for a hearing. In the case of denial of an application for a license, the period imposed shall begin on the date the person is eligible by age for the issuance of a license.

III. Any person who is convicted, found to be delinquent under RSA 169-B, or found to be in need of services under RSA 169-D, for the offense of possession with intent to sell controlled drugs as defined in RSA 318-B:1, VI or a controlled drug analog as defined under RSA 318-B:1, VI-a, shall be subject to revocation or denial of a drivers' license for a mandatory period of at least one year and a maximum period of up to 5 years. In the case of denial of an application for a license under this section, the period imposed shall begin on the date the person is eligible by age for the issuance of a license.

4 Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

5 Effective Date. This act shall take effect January 1, 1990.

*Conferees on the Part
of the Senate*

Sen. Bartlett, Dist. 19
Sen. Preston, Dist. 23
Sen. Roberge, Dist. 9

*Conferees on the Part
of the House*

Rep. T. Gage, Rock. 13
Rep. Jasper, Hills. 19
Rep. Hultgren, Hills. 1
Rep. Murphy, Hills. 40

AMENDED ANALYSIS

This bill increases the penalty for aggravated driving while intoxicated where the driver was involved in a motor vehicle accident resulting in serious bodily injury from a misdemeanor to a class B

felony. This bill also increases the penalty for negligent homicide from a class B felony to a class A felony when the person caused the death as a consequence of being under the influence by alcohol or drugs.

This bill provides that any person between the ages of 15 and 18, who is convicted for any offense involving the sale, possession, use or abuse of alcohol, a controlled drug, or a controlled drug analog, may be subject to the revocation or denial of a motor vehicle driver's license. The bill also makes any person, regardless of age, who is convicted for possession with intent to sell a controlled drug or a controlled drug analog subject to revocation of his driver's license for at least one year and up to 5 years.

Senator Podles moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 327-FN-A

The committee of conference to which was referred House Bill 327-FN-A, An Act relative to the rate of the real estate transfer tax having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as passed by the House, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Rate Changed. Amend RSA 78-B:1, I to read as follows:

I. A tax is imposed upon the sale, granting and transfer of real estate and any interest therein, other than by devise or by the laws regulating intestate succession and descent. The rate of the tax is [\$.25] \$.35 per \$100, or fractional part thereof, of the price or consideration for such sale, grant or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of [\$.10] \$14. Notwithstanding the foregoing provisions, there shall be no tax as exempted by RSA 78-B:2.

2 Rate of Tax for Biennium Ending June 30, 1991. Notwithstanding the provisions of RSA 78-B:1, I, for the biennium ending June 30, 1991, a tax shall be imposed upon the sale, granting and transfer of real estate and any interest therein, other than by devise or by the

laws regulating intestate succession and descent. The rate of the tax is [~~\$.25~~] **\$1.475** per \$100, or fractional part thereof, of the price or consideration for such sale, grant or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of [~~\$10~~] **\$19**. Notwithstanding the foregoing provisions, there shall be no tax as exempted by RSA 78-B:2.

3 Transaction Presumed Taxable. RSA 78-B:1, I is repealed and reenacted to read as follows:

I.(a) A tax is imposed upon the sale, granting and transfer of real estate and any interest therein including transfers by operation of law. Each sale, grant and transfer of real estate, and each sale, grant and transfer of an interest in real estate shall be presumed taxable unless it is specifically exempt from taxation under RSA 78-B:2.

(b) The rate of the tax is \$.35 per \$100, or fractional part thereof, of the price or consideration for such sale, grant or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of \$14. The tax imposed shall be computed to the nearest whole dollar.

4 Rate of Tax for Biennium Ending June 30, 1991. Notwithstanding the provisions of RSA 78-B:1, I, for the biennium ending June 30, 1991:

I. A tax is imposed upon the sale, granting and transfer of real estate and any interest therein including transfers by operation of law. Each sale, grant and transfer of real estate, and each sale, grant and transfer of an interest in real estate shall be presumed taxable unless it is specifically exempt from taxation under RSA 78-B:2.

II. The rate of the tax is \$1.475 per \$100, or fractional part thereof, of the price or consideration for such sale, grant or transfer; except that where the price or consideration is \$4,000 or less there shall be a minimum tax of \$19. The tax imposed shall be computed to the nearest whole dollar.

5 Effective Date.

I. Sections 1 and 2 of this act shall take effect July 1, 1989.

II. The remainder of this act shall take effect January 1, 1990, at 12:01 a.m.

*Conferees on the Part
of the Senate*

Sen. Bond, Dist. 1
Sen. Bartlett, Dist. 19
Sen. Blaisdell, Dist. 10

*Conferees on the Part
of the House*

Rep. Sytek, Rock. 20
Rep. A. Torr; Straf. 6
Rep. Sallada, Hills. 4
Rep. Blacketor, Ches. 12

AMENDED ANALYSIS

This bill raises the rate of the real estate transfer tax from \$.25 to \$.35 per \$100, and raises the minimum tax due from \$10 to \$14.

This bill also imposes a temporary tax of \$.475 per \$100 under the real estate transfer tax law for the biennium ending June 30, 1991.

Senator Bond moved to adopt the Committee of Conference report.

Adopted.

Senators Charbonneau, Nelson, Magee, King, Johnson wished to be recorded as opposed to the decision.

COMMITTEE OF CONFERENCE REPORT ON HB 371-FN-A

The committee of conference to which was referred House Bill 371-FN-A, An Act relative to licensing respiratory care practitioners and making an appropriation therefor having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 5 with the following:

5 Appropriation. The sum of \$4,600 is hereby appropriated to the board of registration in medicine for the biennium ending June 30, 1991, for the purposes of in-state mileage and expenses incurred in administering RSA 326-E. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

*Conferees on the Part
of the Senate*

Sen. Freese, Dist. 4
Sen. Johnson, Dist. 17
Sen. Stephen, Dist. 18

*Conferees on the Part
of the House*

Rep. Robinson, Hills. 12
Rep. Hager, Merr. 21
Rep. Sanderson, Rock. 25
Rep. Hall, Merr. 7

Senator Freese moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 384-FN

The committee of conference to which was referred House Bill 384-FN, An Act establishing a task force to review the recommendations of the Manchester airport and highway study having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend paragraph I as inserted by section 1 of the bill by inserting after subparagraph (h) the following new subparagraphs:

(i) One member of the Manchester planning board, appointed by the Manchester board of mayor and aldermen, who shall not be a member of the airport authority.

(j) One member, appointed by the board of selectmen of Londonderry, who shall be a resident of the town of Londonderry.

*Conferees on the Part
of the Senate*

Sen. Podles, Dist. 16
Sen. St. Jean, Dist. 20
Sen. Charbonneau, Dist. 14

*Conferees on the Part
of the House*

Rep. Phelps, Merr. 1
Rep. Driscoll, Graf. 8
Rep. Alukonis, Hills. 19
Rep. Burkush, Hills. 43

Senator Podles moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 385-FN-A

The committee of conference to which was referred House Bill 385-FN-A, An Act making appropriations for vacation travel promotion and increasing the rate of the tobacco tax having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Cigarette Tax Increase. Amend RSA 78:7 to read as follows:

78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [17] **21** cents for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all tobacco products sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the tobacco products in which such products usually are sold at retail. The word "package" as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.

2 Effective Date. This act shall take effect July 1, 1989.

*Conferees on the Part
of the Senate*

Sen. Dupont, Dist. 6
Sen. McLane, Dist. 15
Sen. Blaisdell, Dist. 10

*Conferees on the Part
of the House*

Rep. Sytek, Rock. 20
Rep. Ahrens, Hills. 13
Rep. Torr, Straf. 6
Rep. Densmore, Graf. 3

AMENDED ANALYSIS

This bill increases the rate of the cigarette tax from 17 cents to 21 cents.

Senator McLane moved to adopt the Committee of Conference report.

SENATOR MC LANE: I rise to express my disappointment with this conference committee report, because it really does not tax all forms of tobacco, to express my admiration for the power of the tobacco lobby, and to express a hope that this Senate in the next session will take seriously the report which is called for in this report. By eliminating the vote of the three members of the tobacco industry from the reporting committee, I would hope we might get a fairly clear indication from the members of the House and Senate that will form that committee as to a proper method to tax chewing tobacco, spittin' tobacco, loose tobacco, cigars and all the rest of it. I am disappointed that we were unable in the short time before us to come up with an adequate method of taxing these types of tobacco, but I do believe that there is sentiment both in the House and in the Senate that tobacco isn't good for you, that tobacco costs the state money in terms of health care costs and that it is time that at least

we got our fair share out of their hides. So I would hope that in the next session that this committee will come up with an adequate report on how best to tax these sources and that we will go forward because it seems to me very clear that this is a perfectly good source of revenue for the state and I am disappointed that we could not have gone forward in this session.

SENATOR HEATH: Senator McLane, are you as adamant about this tax because you never had a tax you didn't like or is it because you want to use this as a way to discourage a social activity you don't approve of, or is it to maximize the revenues for the state?

SENATOR MC LANE: I would say the answer to that is all three of the above with the elimination of your qualifying statement. I have met a tax I didn't like. I have met a lot of them. And I think every single tax on our books has reached the point of being unfair. I think the real estate tax at this point is getting to a very much self-defeating level. I don't like a sales tax but I think that tobacco is a clear source of income and that it is needed. And I am going to speak on the AFDC mothers, the budget is not adequate and we need that revenue. I think that it is a cost to the state in health care. Indications from the medical societies say that \$200 per person is the price of medical care for people who smoke tobacco or chew it. And I also think that we need to maximize our revenues.

SENATOR HEATH: Senator, would you believe that 2 of those goals are incompatible with each other? If you want to maximize revenue, if you don't do it by increasing these taxes to as great a degree as you can, because our revenues actually will decrease. And would you believe that I think that if you want to discourage smoking, I think you ought to come out and do that through legislation to discourage smoking rather than to use taxes as social controls. That is not the intent of taxes. I think that it is a terrible misuse of them by advocates who are against smoking or any other activity by taxing that activity. Would you believe that I think you should have the courage to prohibit or to strive to prohibit activities you don't believe in rather than try and do it through the taxation method, particularly if it endangers the revenue that the state needs from raising that taxation to a point where it is not competitive with other states.

SENATOR MC LANE: I don't see how you can endanger revenue that is nonexistent. First of all, we don't tax tobacco at all except cigarettes. I think that is terrible. Secondly, some other states have gone to your method, California has just gone to 41 cents on a pack

for cigarettes. I haven't suggested that. I have read the A.D. Little report. I think that there is a point of maximizing revenue. I think we could have gone to 5 cents. We have gone in this to 4 and that is enough.

SENATOR JOHNSON: Senator McLane, what was the objection to the bill or the amendment that was passed by the Senate?

SENATOR MC LANE: We passed a bill that called for a study committee. That is all the Senate can do. When we got over to the House, we had a bill that they then put the revenue on. They put the tobacco tax on it, 4 percent that the budget is predicated on. We added to that the tax on tobacco. But it was very obvious that the House, as I say, had seen the power of the tobacco lobby. And so it was a matter of the House and the Senate disagreeing. It also is a difficult thing to do constitutionally. And I think there was some danger that you might jeopardize all the revenue, if the Supreme Court had thrown it out.

Adopted.

Senators Nelson, Charbonneau, and Magee wished to be recorded as opposed to the decision.

COMMITTEE OF CONFERENCE REPORT ON HB 434-FN-A

The committee of conference to which was referred House Bill 434-FN-A, An Act relative to franchising and regulation of cable television systems and making an appropriation therefor having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 53-C:3-f as inserted by section 3 of the bill by replacing it with the following:

53-C:3-f Franchise Document Clearing House. Within 60 days of the granting of an initial franchise and any renewal of such franchise, the franchisee shall file a copy of the franchise and any Federal Communications Commission rulings or other rulings affecting such

franchisee with the secretary of state. Within 60 days of the passage of this act all cable system operators shall file a copy of their existing franchise with the secretary of state. The secretary of state shall maintain a file of all franchise documents so recorded and make copies available upon request for the cost of reproduction and mailing, plus a reasonable administrative fee. The filing fee for initial and renewal franchise documents shall be \$50 per franchise or renewal of such franchise. In years in which the filing of initial or renewal franchise documents is not required, the franchisee shall pay to the secretary of state a fee of \$50 for each locality served by the franchise.

*Conferees on the Part
of the Senate*

Sen. St. Jean, Dist. 20
Sen. Bartlett, Dist. 19
Sen. Dupont, Dist. 6

*Conferees on the Part
of the House*

Rep. Pantzer, Merr. 11
Rep. Steiner, Hills. 33
Rep. Drolet, Hills. 8
Rep. Tsiros, Straf. 2

Senator Dupont moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 464

The committee of conference to which was referred House Bill 464, An Act relative to sons and daughters of members of charitable organizations assisting with bingo games having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend section 2 of the bill by replacing it with the following:

2 Committee Established to Study Bingo. There is hereby established a committee to study the current laws relative to bingo, the conduct of bingo games, and the amount of money raised by bingo. The committee shall examine the need for revisions to the current bingo laws. The committee shall consist of the following members:

I. Two house members appointed by the speaker of the house, or their designees.

II. Two senators, appointed by the senate president, or their designees.

III. The commissioner of safety or designee.

IV. The state treasurer or designee.

V. The attorney general or designee.

3 Report. The committee shall submit a report on its findings and any recommendations for legislation to the speaker of the house and the senate president on or before December 1, 1989.

4 Effective Date. This act shall take effect upon its passage.

*Conferees on the Part
of the Senate*

Sen. Roberge, Dist. 9
Sen. Stephen, Dist. 18
Sen. McLane, Dist. 15

*Conferees on the Part
of the House*

Rep. Simon, Rock. 9
Rep. Horton, Coos. 4
Rep. Palazzo, Rock. 16
Rep. Tsiros, Straf. 2

AMENDED ANALYSIS

This bill authorizes any charitable organization to permit the sons and daughters of bona fide members who are at least 18 years old, to assist in the conducting of bingo games. The names of the persons assisting shall be submitted to the department of safety prior to the scheduled bingo event.

This bill establishes a committee to study the current laws relative to bingo, the conduct of bingo games, and the amount of money raised by bingo.

Senator Roberge moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 502

The committee of conference to which was referred House Bill 502, An Act relative to disclosure of mental health information having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the house, and pass the bill as so amended:

Amend RSA 135-C:19-a as inserted by section 1 of the bill by replacing it with the following:

135-C:19-a Disclosure of Certain Information. Notwithstanding RSA 329:26 and RSA 330-A:19, a community mental health center or state facility providing services to seriously or chronically mentally ill clients may disclose information regarding diagnosis, admission to or discharge from a treatment facility, functional assessment, the name of the medicine prescribed, the side effects of any medication prescribed, behavioral or physical manifestations which would result from failure of the client to take such prescribed medication, treatment plans and goals and behavioral management strategies to a family member or other person, if such family member or person lives with the client and provides direct care to the client. The mental health center or facility shall provide a written notice to the client which shall include the name of the person requesting the information, the specific information requested and the reason for the request. Prior to the disclosure, the mental health center or facility shall request in writing the consent of the client. If consent cannot be obtained, the client shall be informed of the reason for the intended disclosure, the specific information to be released and the person or persons to whom the disclosure is to be made.

*Conferees on the Part
of the Senate*

Sen. Krasker, Dist. 24
Sen. Bond, Dist. 1
Sen. Dupont, Dist. 6

*Conferees on the Part
of the House*

Rep. Sochalski, Rock. 23
Rep. Foster, Carr. 4
Rep. Bennett, Graf. 8
Rep. Nardi, Hills. 35

Senator Krasker moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 578-FN

The committee of conference to which was referred House Bill 578-FN, An Act relative to victim's assistance and compensation having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 21-M:8-h, V as inserted by section 2 of the bill by replacing it with the following:

V. The claimant may be reimbursed for reasonable out-of-pocket expenses, medical expenses, funeral expenses, counseling expenses and lost wages directly resulting from the crime. No reimbursement shall be paid unless the claimant has incurred reimbursable expenses of at least \$100. There shall be a \$5,000 ceiling on recovery per claimant per incident. If expenses paid through the victims' assistance program fund are later covered by insurance settlements, civil suit settlements, or restitution, or through any other source, the claimant shall reimburse the fund for the amount of expenses recovered.

Amend the bill by replacing all after section 2 with the following:

3 Appropriation; Department of Justice. The following sums are appropriated to PAU 02, 04, 02, 07, department of justice, division of public protection, for victims' assistance and compensation:

02 Administration of justice and protection

04 Attorney general

02 Division of public protection

07 Victims' A & C

	FY 1990	FY 1991
10 Personal services - permanent	20,611	21,470
14 Personal services - permanent	24,050	26,110
20 Current expenses	6,036	3,205
30 Equipment	0	0
41 Audit funds set aside	0	0
42 Transfer to cola	0	0
50 Personal services	0	0
60 Benefits	10,273	11,419
70 In-state travel	1,500	1,500
80 Out-of-state travel	3,250	3,250
90 Compensation	75,000	75,000
97 Assistance	354,280	353,046
Total	470,000	470,000
Estimated source of funds for Victims' A & C		
00	0	0
General funds	75,000	75,000
09 Agency income	420,000	420,000
Total	495,000	495,000

The governor is authorized to draw his warrant for \$75,000 for fiscal year 1990 and \$75,000 for fiscal year 1991 out of any money in the treasury not otherwise appropriated.

4 Appropriation in Lieu of Appropriation in Operating Budget. The appropriation made to the department of justice, division of public protection in section 3 of this act to PAU 02, 04, 02, 07 for the victims' assistance and compensation shall be in lieu of any appropriation made to such department for such purposes in the operating budget for the biennium ending June 30, 1991. Any appropriation in the operating budget to the department of justice for PAU 02, 04, 02, 07 shall be null and void and of no effect.

5 Totals Adjusted. The legislative budget assistant is authorized to adjust total and sources of funding in the 1990-1991 operating budget as made necessary by the passage of this act.

6 Repeal. RSA 21-M:8-e, relative to administration of the victims' assistance fund, is repealed.

7 Effective Date.

I. Sections 1 and 3-5 of this act shall take effect July 1, 1989.

II. The remainder of the act shall take effect January 1, 1990.

*Conferees on the Part
of the Senate*

Sen. Podles, Dist. 16
Sen. Preston, Dist. 23
Sen. Bartlett, Dist. 19

*Conferees on the Part
of the House*

Rep. T. Gage, Rock. 13
Rep. Ward, Graf. 1
Rep. Martling, Straf. 4
Rep. Spencer, Straf. 4

AMENDED ANALYSIS

This bill creates a victims' assistance program at the state level to be administered by the department of justice. The bill establishes a victims' assistance commission, with not more than 5 members to be appointed by the attorney general, to review claims and make compensation awards from a victims' assistance fund. The attorney general is granted the authority to make rules regarding the commission and compensation of victims.

The amount which may accumulate in the victims' assistance fund is increased and the amount of penalty assessment designated for the victims assistance fund is increased from 2 to 3 percent. There are to be no penalty assessments on fines or penalties for violations of municipal ordinances. When the fund exceeds \$750,000, moneys in excess of \$750,000 shall be deposited in the general fund. Up to 55 percent of the fund shall be used by the attorney general to make grants to public and private victim assistance programs. Up to 15

percent may be used for administration costs. The remainder of the fund shall be used for compensation awards. The victims' assistance commission may also accept private donations and contributions to be used for compensation awards.

This bill makes eligible for compensation victims of felonies resulting in personal injury or victims of injuries caused by persons driving under the influence. If the victim dies as a result of the crime, the victim's relatives may claim compensation. The claimant may be reimbursed up to \$5,000 for reasonable out-of-pocket expenses, medical expenses, funeral expenses, counseling expenses, and lost wages.

The bill makes an appropriation for costs of victims' assistance and compensation.

Senator Podles moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 582-FN

The committee of conference to which was referred House Bill 582-FN, An Act relative to a committee to review surface water use restrictions on the public waters of the state having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

Conferees on the Part of the Senate

Sen. Bond, Dist. 1
Sen. Preston, Dist. 23
Sen. Bass, Dist. 11

Conferees on the Part of the House

Rep. Young, Straf. 10
Rep. Lewis, Merr. 5
Rep. Maviglio, Belk. 1
Rep. Stio, Merr. 5

Senator Bond moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 594-FN

The committee of conference to which was referred House Bill 594-FN, An Act to reinstate medical and surgical benefits for certain retired employees having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

*Conferees on the Part
of the Senate*

Sen. Blaisdell, Dist. 10

Sen. Freese, Dist. 4

Sen. Magee, Dist. 12

*Conferees on the Part
of the House*

Rep. MacDonald, Carr. 6

Rep. Campbell, Belk. 5

Rep. Ward, Graf. 1

Rep. Richardson, Belk. 10

Senator Blaisdell moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 613-FN

The committee of conference to which was referred House Bill 613-FN, An Act relative to the method for granting supplemental allowances to New Hampshire retirement system members having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Method of Financing; State Annuity Accumulation Fund. Amend RSA 100-A:16, II(h) to read as follows:

(h) There shall be a special account for additional benefits held by the board of trustees. The special account shall be credited annually with all of the earnings of the special account assets, plus all of the earnings of the remaining assets of the retirement system in excess of the assumed rate of return as determined by the board of trustees. The assets held in the special account shall not be used in the actuarial determination of the rate percent of normal contribution as set forth in subparagraphs (b), (c) and (d). The special account shall be used only to fund or partially fund additional benefits [for retired members of the retirement system] **as follows: first, to pro-**

vide supplemental allowances pursuant to RSA 100-A:41-a, and, second, to the extent that funds may be available in the special account, to provide additional benefits for retired members and beneficiaries of the retirement system.

*Conferees on the Part
of the Senate*

Sen. Delahunty, Dist. 22
Sen. Blaisdell, Dist. 10
Sen. Freese, Dist. 4

*Conferees on the Part
of the House*

Rep. M. MacDonald, Rock. 7
Rep. R. Campbell, Belk. 5
Rep. Ward, Graf. 1
Rep. Richardson, Belk. 10

Senator Delahunty moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 629-FN

The committee of conference to which was referred House Bill 629-FN, An Act relative to gravesites having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 289:2-a, II as inserted by section 1 of the bill by replacing it with the following:

II. New construction, excavation or building in the area of a known burial site or within the boundaries of an established graveyard shall comply with local zoning regulations concerning burial sites or graveyards, whether or not such burial site or graveyard was properly recorded in the deed to the property. In the absence of such regulations, no new construction, excavation, or building shall be conducted within 25 feet of a known burial site or within 25 feet of the boundaries of an established graveyard, whether or not such burial site or graveyard was properly recorded in the deed to the property, except when such construction, excavation, or building is necessary for the construction of a public improvement, as approved by the governing body of a city or town, or in the case of a state highway, by the commissioner of the department of transportation.

*Conferees on the Part
of the Senate*

Sen. Charbonneau, Dist. 14
Sen. Heath, Dist. 3
Sen. Krasker, Dist. 24

*Conferees on the Part
of the House*

Rep. Benton, Rock. 5
Rep. Daly, Carr. 3
Rep. Riley, Hills. 44
Rep. O'Brien, Straf. 10

AMENDED ANALYSIS

This bill affords known burial sites and graveyards the protection of local zoning ordinances concerning burial sites and graveyards, whether or not the burial site or graveyard was recorded in the deed to the property. In localities without such zoning ordinances, new construction, excavation or building shall not be conducted within 25 feet of a known burial site or graveyard, unless the construction, excavation, or building is for a public improvement or state highway.

The bill suggests that records be kept by municipal officials or municipal cemetery officials concerning private burial sites. Senator Charbonneau moved to adopt the Committee of Conference report.

SENATOR BASS: As much as I hate to disagree with my esteemed colleague from the great municipality in Hudson, I have got to rise in opposition to this particular committee of conference report. I think it is unnecessary and I think it sets precedents that we may regret in future legislative sessions. Basically, what this particular committee of conference report does is prohibit where zoning regulations don't say otherwise, any excavation of any sort or any form of new construction within 25 feet of a graveyard or a known burial site regardless of whether or not that burial site is recorded on the property or not. Now what this basically means is that if you own a house within 25 feet of an established graveyard and this bill passes, you will not be able to plant a plant, erect a fence, dig a driveway, have a sand box. It says "in the absences of such regulations, no new construction, excavation or building". This, my friends, is in fact state-wide zoning. And I am not necessarily opposed to state-wide zoning in certain instances, but I think it is rather unusual that the state should single out graveyards as the target for this. Because I think there are a lot of people and a lot of our constituents who own property that is adjacent to graveyards. For example, in the town of Hancock, the town public works department is next to a graveyard. If Hancock does not have zoning ordinances with respect to graveyards that doesn't specifically permit it, there will be no way that the town could move sand and gravel around in the public works

department because it would be within 25 feet. The statutes already cover excavations on grave sites and graveyards are already prohibited by statute. But what this is setting up is, in effect, a green zone or a zone of, no you can't touch, around graveyards. I am not going to ask for any form of roll call vote or any thing like that with respect to this but I just think that the Senators should know that this bill may have significant ramifications. And you may be asked by angry constituents, whose rights are infringed upon by this piece of legislation, for help when they are trying to sell their property or trying to do something that requires some kind of change. I hope that you all will vote no on this report and put this bill exactly where it belongs, six feet under.

SENATOR MC LANE: Senator Bass, if I owned a property with a back yard of 100 feet by 100 feet which wouldn't be out of line and I wanted to put a garage on that property and there was a burial site there what would be my recourse. What would I have to do?

SENATOR BASS: You couldn't erect a garage within 25 feet of that burial site. You couldn't do any form of excavation. Any form of new construction would be prohibited if there was any burial site within 25 feet perimeter around that place so the answer, Senator McLane, is that not only would you not be able to build a garage, you would not be able to excavate anything. Because that is exactly what the legislation says.

SENATOR JOHNSON: I rise in support of HB 629 as amended here. There was an extensive public hearing on this bill. There was no opposition offered at the public hearing and, in fact, there was great support at the public hearing. With all due respect to the Senator from the 11th, I think he is over-characterizing the requirements of this bill. In regard to Senator McLane's question about building a garage, I think most of you realize that there is a set back requirement for construction anyway and for in most areas it would be 20 feet. So I don't see that as presenting any significant problem at all. We are protecting part of our cultural heritage here in New Hampshire and showing some basic respect for the people who founded and made this state as great as it is. We should definitely pass this bill.

SENATOR BASS: Senator Johnson, if I owned a piece of property that abutted a known grave site or a graveyard, and the town that I lived in did not have any ordinances to the contrary or any ordinances regarding grave sites, that is vague in itself, and I decided that I didn't like to look at the graveyard all the time, would I be

allowed to erect a fence along my boundary which would require excavating and putting posts in the ground, if this bill were to pass?

SENATOR JOHNSON: Yes, I am sure you would.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 650-FN

The committee of conference to which was referred House Bill 650-FN, An Act relative to removing tax collectors having considered the same, report the same with the following recommendations:

having considered the same, report the committee is unable to reach agreement.

Conferees on the Part of the Senate

Sen. Charbonneau, Dist. 14
Sen. Dupont, Dist. 6
Sen. Blaisdell, Dist. 10

Conferees on the Part of the House

Rep. West, Merr. 21
Rep. Golden, Belk. 7
Rep. Brown, Rock. 17
Rep. Baldizar, Hills. 22

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 654-FN

The committee of conference to which was referred House Bill 654-FN, An Act creating a committee to study what organizations may participate in the New Hampshire retirement system having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

Conferees on the Part of the Senate

Sen. Freese, Dist. 4
Sen. Nelson, Dist. 13
Sen. Roberge, Dist. 9

Conferees on the Part of the House

Rep. Powers, Carr. 5
Rep. MacDonald, Carr. 6
Rep. Ward, Graf. 1
Rep. Dunn, Merr. 21

Senator Nelson moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 658-FN

The committee of conference to which was referred House Bill 658-FN, An Act establishing a committee to study the laws relative to depositions having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend section 2 of the bill by replacing it with the following:

2 Meetings; Compensation. The committee member who is the house member from the committee on children, youth and juvenile justice shall serve as interim chairman of the committee and call the first meeting of the committee within 30 days of the effective date of this act. The committee shall elect a chairman and vice-chairman at its first meeting. Committee members shall serve without compensation, except that the members who are legislators shall receive mileage at the legislative rate.

Conferees on the Part of the Senate

Sen. Podles, Dist. 16

Sen. Bass, Dist. 11

Sen. Nelson, Dist. 13

Conferees on the Part of the House

Rep. McCain, Rock. 11

Rep. Lozeau, Hills. 25

Rep. Johnson, Hills. 37

Rep. Lovejoy, Rock. 7

Senator Bass moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 677

The committee of conference to which was referred House Bill 677, An Act relative to modification of child support guidelines having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the introductory paragraph of RSA 458-C:2, IV as inserted by section 1 of the bill by replacing it with the following:

IV. "Gross income" means all income from any source, whether earned or unearned, including but not limited to, wages, salary, commissions, tips, annuities, social security benefits, trust income, lottery or gambling winnings, interest, dividends, net rental income, self-employment income, alimony, business profits, pensions, bonuses, and payments from other government programs (except public assistance programs, including aid to families with dependent children, aid to the permanently and totally disabled, supplemental security income, food stamps, and general assistance received from a county or town), including, but not limited to, workers' compensation, veterans' benefits, unemployment benefits, and disability benefits, provided, however, that no income earned at an hourly rate for hours worked in excess of 40 hours in any week shall be considered as income for the purpose of determining gross income. In addition, the following shall apply:

Amend the bill by replacing all after section 6 with the following:

7 New Section; Review of Guidelines. Amend RSA 458-C by inserting after section 5 the following new section:

458-C:6 Review of Guidelines. The division of human services, department of health and human services, shall review the guidelines provided under this chapter in order to determine whether application of such guidelines results in the determination of appropriate child support award amounts.

8 Applicability. Review of guidelines pursuant to section 7 of this act shall commence 6 months after its effective date and shall continue for 2 years. The study shall include a review of child support orders to determine the application by the judiciary and administrative hearings officers of the percentages as provided in RSA 458-C and to determine exceptional circumstances and trends in the amounts of child support orders as a result of the implementation of the guidelines. The judiciary shall cooperate with the review by providing any necessary information to the division of human services. Upon completion of the review, the division of human services shall make a report to the president of the senate, the speaker of the house and the governor. Upon completion of this initial review, the guidelines shall thereafter be reviewed every 4 years.

9 Rulemaking. The division of human services, department of health and human services, shall adopt rules, pursuant to RSA 541-

A and with the advice of the superior court, allowing for an information and application packet providing the following information relative to seeking modification of child support orders:

I. Requirements for application.

II. Application procedures.

III. Any other necessary information, including information on distribution of the information and application packet.

10 Effective Date. This act shall take effect 60 days after its passage.

*Conferees on the Part
of the Senate*

Sen. Podles, Dist. 16
Sen. Roberge, Dist. 9
Sen. Nelson, Dist. 13

*Conferees on the Part
of the House*

Rep. McCain, Rock. 11
Rep. Searles, Hills. 19
Rep. Domini, Sull. 5
Rep. Wallner, Merr. 21

Senator Podles moved to adopt the Committee of Conference report.

SENATOR MC LANE: Senator Podles, at the meeting of Child and Family Services yesterday, I spoke with several people who were very distressed with this report, and I want to ask you a couple of questions. Is it true that the Fathers for Equal Justice are the motivation behind the changes in the child support laws?

SENATOR PODLES: I would sort of disagree with that. This is a mandate from the federal government and we did have people from the federal government right from the beginning helping us with these guidelines, so I don't think that they alone are behind it.

SENATOR MC LANE: I guess my second question is, is it true that in the new guidelines that the income of step-parents and the expense of step-children are not included in the support guidelines?

SENATOR PODLES: That is true. They were taken out. They were in originally but we had some opposition from the Senators. I was willing to go along with it but we had the House members also disagreed and so I went along with it. Originally, it was in, Senator.

SENATOR MC LANE: The part of the legislation that I am concerned about has to do with the modification of the guidelines about child support. And I really go back to my original question was this the motivation of the Fathers for Equal Justice?

SENATOR PODLES: They were there. We had a public hearing. They did show up. They certainly offered testimony. We did try to help them out. We did want to allow discretion to the courts not to

just go by the formula. It has not worked out, so apparently there is a formula that the court is going to have to go by.

SENATOR ROBERGE: Senator McLane, I am very deeply distressed by the fact that you are insinuating that the Fathers for Equal Justice did not have a lot to say. They did have a lot to say. They came to the meetings, every single meeting they were represented. They didn't get exactly what they wanted. That is very true. But it wasn't because they didn't have a say in the matter. We certainly considered their views. Also this new legislation takes into consideration both parents incomes in making a decision on how much support will be allocated. That is one of the changes, and that is one of the changes that they recommended.

SENATOR MC LANE: Senator Roberge, I think you misunderstand what I was saying. I am concerned that the Fathers for Equal Justice had too much of a say in this bill as the compromise was before it. And I think the thing that I am concerned about is that women who get divorced with young children, as you well know, had their incomes go down by well over 50 percent and I would say that any compromise that gives more to the newly divorced father rather than the women who are going to have to be bringing up those children isn't a good compromise. So I guess my question to you is, do you think this bill is a benefit to women and children or do you think that the Organization of Divorced Fathers has had too much to say in the compromise?

SENATOR ROBERGE: Frankly, Senator McLane, I don't think they had too much to say. They had a lot to say, as a matter of fact, but most of the things that they felt were important we considered and decided not to use. There is one other part of this particular bill and that is that when the custodial parent, the mother, goes to work she is not going to be penalized for earning more money. And I think that is a very big key. It encourages these women to go out and work and they will not be penalized for earning more money. So this is another part of that package of considering both salaries, and there is a driving force behind considering both salaries throughout the nation and we felt that we should incorporate it into our bill.

SENATOR NELSON: Seeing that there were some questions raised on the floor, I will tell you that this committee went all over the state to take testimony from everybody who wanted to present it. Secondly, I will tell you that Sarah Dustin, on behalf of the women's group, Barbara Tsiros, women's lobby, introduced amendments to this bill. So our major amendments came from women's groups at

the end who felt that how could you ask men to pay money when you were, in fact, reducing them to a zero income level. So there was a school of thought from the women's groups who felt that, in fact, we should listen carefully and in fact amend the bill. And I would just point out to you in the bill itself, in the amendment, "that upon the completion of this initial review, the guidelines shall be reviewed every four years". So there are some safety nets in this bill to take a look at it, if we have a problem. And the impetus behind this bill, as you know, we were being driven strongly by the federal government. And if we didn't, in fact, do this we would not get our money from the federal government.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 693-FN

The committee of conference to which was referred House Bill 693-FN, An Act relative to the leasing of submerged tidal lands having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 270-C:3, II as inserted by section 2 of the bill by deleting subparagraph (c).

Amend paragraph III as inserted by section 3 of the bill by replacing it with the following:

III. The authority shall submit an interim report of its findings on or before June 30, 1990, and a final report along with copies of its harbor management plan on or before June 30, 1991, to the speaker of the house, the senate president, the governor and council, the chairperson of the house resources, recreation and development committee, and the chairperson of the senate development, recreation and environment committee.

Amend paragraph II as inserted by section 4 of this bill by replacing it with the following:

II. The office of state planning shall submit an interim report of its findings on or before June 30, 1990, and a final report on its proposed criteria and policy for leasing on or before June 30, 1991, to the speaker of the house, the senate president, the governor and

council, the chairperson of the house resources, recreation and development committee, and the chairperson of the senate development, recreation and environment committee.

Amend the bill by replacing section 5 with the following:

5 Study of Boat Registration Fees; Division of Safety Services. The division of safety services shall conduct a study of current boat registration fees and develop a plan to make the schedules of salt water boat registration fees and fresh water boat registration fees consistent and uniform. The division shall submit an interim report of its findings on or before June 30, 1990, and a final report of its plan on or before June 30, 1991, to the speaker of the house, the senate president, the governor and council, the chairperson of the house resources, recreation and development committee and the chairperson of the senate development, recreation and environment committee.

*Conferees on the Part
of the Senate*

Sen. Heath, Dist. 3
Sen. King, Dist. 2
Sen. Johnson, Dist. 17

*Conferees on the Part
of the House*

Rep. Dickinson, Carr: 2
Rep. Wall, Straf. 4
Rep. Lewis, Merr: 5
Rep. Wiggin, Carr: 4

AMENDED ANALYSIS

This bill establishes a special harbor management fund. Boat numbering fees which are collected from boats in tidal waters by the department of safety up to a total amount of \$50,000, shall be deposited in such fund. The fund may be used, upon approval by governor and council, by the port authority and the office of state planning to fund the studies directed by this bill.

The port authority is directed to conduct a study to develop a harbor management plan. The office of state planning is to conduct a study of leasing of submerged lands. The division of safety services is to conduct a study of fresh water and salt water boat registration fees. Each agency shall submit interim and final reports to the speaker of the house, the senate president, the governor and council, and the chairpersons of the house resources, recreation and development committee and the senate development, recreation and environment committee during the 1990-91 biennium.

Senator Johnson moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 710

The committee of conference to which was referred House Bill 710, An Act regulating the use of social security numbers by the department of safety having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 New Section; Social Security Number Records. Amend RSA 263 by inserting after section 40 the following new section:

263:40-a Social Security Number.

I. An applicant for a driver's license or a renewal of a driver's license who is a resident of New Hampshire shall provide his social security number to the department unless he requests a waiver, which the commissioner shall grant upon application. The application may require such reasonable and relevant information as the commissioner may by rule determine. The application form for a driver's license or a renewal of a driver's license shall make reference to this waiver provision.

II. An applicant for a driver's license who has established residency as provided in RSA 263:35 shall provide his social security number in the application. The social security number shall be retained in the department's records unless the applicant obtains a waiver pursuant to paragraph I.

III. Notwithstanding RSA 91-A, RSA 260:14, RSA 261:60 or any other provision of law to the contrary, the social security number shall not be a public record open to the inspection of any person. The department shall not sell or otherwise provide individual social security numbers or lists of social security numbers for any purpose which is not stated in this paragraph. The department shall only make the social security number available to other states for driver record purposes, to any national driver information repository established pursuant to federal law, or, on their request on a case by case basis (a) to a law enforcement agency that requires the social security number for investigative purposes, or (b) to the division of

human services, department of health and human services for use only in the administration of child support enforcement.

IV. At the time that an individual provides the social security number to the department, he shall be given the opportunity to determine whether he desires to have the number printed on his license. If the individual desires not to have the social security number printed on his license, it shall not be printed on the license.

2 Effective Date. This act shall take effect July 1, 1989.

*Conferees on the Part
of the Senate*

Sen. Preston, Dist. 23
Sen. Heath, Dist. 3
Sen. Johnson, Dist. 17

*Conferees on the Part
of the House*

Rep. Emerton, Hills 6
Rep. Record, Hills. 23
Rep. Klemarczyk, Rock. 13
Rep. Donovan, Hills. 26

Senator Preston moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 764-FN-A

The committee of conference to which was referred House Bill 764-FN-A, An Act relative to state revenues and appropriations having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend section 58 of the bill by replacing it with the following:

58 Lapse Dates Extended.

I. The appropriations made to the special initiatives program, office of the commissioner, department of education in 1987, 400:21, I for certain initiatives and the Christa McAuliffe memorial fund are hereby extended to June 30, 1990.

II. State fiscal year 1989 general funds in account 025-045-6128-430, which were appropriated for the purchase of equipment to support the New England Child Support Enforcement System, shall not lapse until June 30, 1990.

Amend the bill by replacing section 85 with the following:

85 Extension of Authority; Authority to Transfer. Notwithstanding any other provision of law, including the provisions of RSA 99:4 and RSA 9:17-a through 17-c or any general transfer authority for departments as defined in RSA 9:1 provided in the general appropriations bill or other law, during the biennium ending June 30, 1991, the commissioner of health and human services is hereby authorized, with the prior approval of the fiscal committee and governor and council, to make such transfers to and within the components, subcomponents and classes of Laconia developmental services, or to PAU 05, 01, 05, 01, 05, class lines 91, 92, 93, 94, as he shall deem necessary and appropriate.

Amend RSA 206:42 as inserted by section 94 of the bill by replacing it with the following:

206:42 Fish and Game Search and Rescue Fund. The additional fee of \$1 collected under the provisions of RSA 270:5, VIII for each private boat registered and under RSA 215-A:23, VII for each OHRV registered shall be paid over to the state treasurer who shall keep such fees in a special fund to be expended by the fish and game department for use in search and rescue operations. The special fund shall be nonlapsing. All funds received under this subdivision are continually appropriated to the fish and game department for the purposes of this subdivision. The fish and game department shall report to the fiscal committee on a quarterly basis beginning on October 1, 1989, on the expenditures made from the fund.

Amend the bill by replacing all after section 102 with the following:

103 New Subdivision; School Improvement Program. Amend RSA 186 by inserting after section 68 the following new subdivision:
School Improvement Program

186:69 School Improvement Program. There is established a school improvement program within the department of education. The department shall contract with an appropriate agency to implement this program. The program shall be based upon, but not limited to, the profiling effectiveness in special education model developed by the bureau of special education, department of education, for implementation as the school improvement program in the public elementary, middle and high schools of the state. Such implementation shall be done annually in selected schools voluntarily requesting to participate in the New Hampshire school improvement program.

104 Appropriation; Pari-Mutuel Commission. The sum of \$4,000 for the fiscal year ending June 30, 1990, and the sum of \$4,000 for the

fiscal year ending June 30, 1991, are appropriated to the pari-mutuel commission for distribution to the Rochester Mechanical and Agricultural Association for the purpose of making capital improvements. The governor is authorized to draw his warrant for sums out of any money in the treasury not otherwise appropriated.

105 Requests for Reclassification or Reallocation.

I. Notwithstanding any other provision of law, the director of personnel shall not consider any requests for reclassification or reallocation until July 1, 1990. For purposes of this paragraph, "request for reclassification or reallocation" means any classified position which was reviewed by the director in accordance with the standards published in the technical assistance manual, classification chapter, which was distributed to state agencies on July 1, 1988, as part of the initial implementation process, and for which a final recommendation for classification was made by a letter signed and dated by the director.

II. If a department or employee has filed a request for administrative review with the division of personnel according to executive order 88-2 and the procedures for administrative review published on July 1, 1988, as part of the initial implementation process, the administrative review committee shall review such request before July 1, 1990. All classification appeals pending under RSA 21-I:57 on July 1, 1989, shall be conducted in accordance with 1988, 269:5.

106 Reclassifications and Reallocations. RSA 21-I:54, III is repealed and reenacted to read as follows:

III. The director shall make a decision on any request for reclassification or reallocation from department heads or position incumbents within 45 days of receipt of a completed request for reclassification or reallocation as defined by rules adopted under RSA 21-I:43, II(u). No increases in salary shall be allowed for any request until a final decision is made by the director, or if the director's decision is appealed, by the personnel appeals board. Increases in salary due to reclassification or reallocation shall become effective at the beginning of the next pay period following the final decision of the director or the board.

107 Appropriation; Department of Safety. The sum of \$54,926 for the fiscal year ending June 30, 1990, and the sum of \$55,372 for the fiscal year ending June 30, 1991, are hereby appropriated to the department of safety to pay the salary and benefits of the unclassified director of fire service. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

108 Parks Income. For the biennium ending June 30, 1991, actual revenue received in excess of \$6,000,000 parks income each year adjusted by amounts appropriated in HB 200-A, and such funds as may

be utilized in accordance with section 5, paragraph I of HB 200-A, shall be carried over to the following year for the purpose of maintenance projects within the parks system in an amount not to exceed \$250,000 per year. Funds may be used only with the prior approval of the fiscal committee and with the approval of the governor and council for necessary maintenance projects.

109 Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are severable.

110 Effective Date.

I. Sections 59, 79-81, 85, 93-102, 104, and 107-108 of this act shall take effect July 1, 1989.

II. Sections 58, 87-91, 99, 105, 106, and 109 of this act shall take effect upon its passage.

III. Sections 82-84 of this act shall take effect July 1, 1994.

IV. Section 75 of this act shall take effect 30 days after its passage.

V. The remainder of this act shall take effect 60 days after its passage.

*Conferees on the Part
of the Senate*

Sen. Bartlett, Dist. 19
Sen. Dupont, Dist. 6
Sen. Blaisdell, Dist. 10

*Conferees on the Part
of the House*

Rep. Palumbo, Rock. 10
Rep. Hager, Merr. 21
Rep. Gross, Merr. 16
Rep. Densmore, Graf. 3

AMENDED ANALYSIS

This bill raises certain permit, filing and licensing fees charged by various state agencies.

The bill imposes certain new fees to be charged by the department of environmental services and other state agencies.

The bill establishes a legislative oversight committee on data processing.

The bill establishes a data processing and computer management study committee and a mental health and developmental services study committee.

The bill increases penalty assessments charged by the courts and directs a percentage of such assessments to be deposited in a court modernization fund. The supreme court may use moneys in the fund for the development and upgrading of the judicial branch. The ad-

ministrative office of the courts and the fiscal committee are to review the fund in 1993. The fund is created as of July 1, 1989, and lapses on June 30, 1994.

The bill requires a review of the victims' assistance fund by the department of justice and the fiscal committee in 1993. The fund lapses on June 30, 1994.

The bill makes other miscellaneous changes in state funds and accounts and extends lapse dates.

The bill also establishes a revolving fund in the fish and game department to be used for the purchase of publications and specialty items to be offered to the public for a reasonable cost, and makes an appropriation to the fund. It establishes a fish and game search and rescue fund.

Senator Dupont moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 766-FN-A

The committee of conference to which was referred House Bill 766-FN-A, An Act making a supplemental appropriation for flood control and relative to the calculation of flood control reimbursements having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House adopt the following new amendment to the bill as passed by the House, and pass the bill as so amended:

Amend the bill by replacing sections 1 and 2 with the following:

1 Flood Control Reimbursements. Amend RSA 122:4 to read as follows:

122:4 Reimbursement to Cities and Towns. On a date not later than 30 days [after the last local tax rate in the state has been determined for the current tax year] **following the establishment and approval of tax rates for each city and town affected by and subject to the provisions of this chapter**, the state treasurer shall pay to each town and city in which any taxable real estate or interest therein has been acquired under this chapter by the United States and thus become tax exempt for such year, a sum equal to the taxes which would have been assessed against the real estate or interest

therein in such town or city if the same had been included in the list of taxable property [for such year at an assessed valuation of the same determined as provided in this section] **as proposed by the commissioner of revenue administration in RSA 122:6.** For land acquired by the United States under this chapter, reimbursement shall be made upon a valuation determined as provided herein on a permanently continuing basis, and if growing wood and timber was taxable as real estate on the date of acquisition by the United States of the land on which it stood, it shall be deemed to be land hereunder. For all artificial improvements on land acquired by the United States under this chapter, including buildings, structures and other artificial real estate fixtures of any kind, reimbursement shall be made upon a valuation determined initially as provided herein and thereafter annually reduced by 2-1/2 percent so that at the end of 40 years reimbursement therefor shall have terminated. On land and improvements thereon acquired by the United States under this chapter the initial assessed valuation of the land and improvements for purposes of reimbursement shall be the locally assessed valuation thereon for the tax year in which acquired as adjusted by the assessors and the commissioner of revenue administration acting as a joint board, so as to make such valuation proportional to the value of all other property in such town or city subject to taxation. For purposes of this section the joint board may subdivide such assessment equitably between land and improvements thereon or between real estate acquired and that not acquired, if the official assessment was not thus subdivided. The valuations of improvements thus determined shall thereafter be annually reduced over a 40-year period as above provided. On land, and artificial improvements, the valuations initially established as above provided in a town or city shall be reviewed by the commissioner at least once in every 5 years and more frequently if reasonably necessary and be changed as necessary to make them proportional with the assessed value of all other taxable property in such town or city. The amount of the reimbursement due to each town and city hereunder shall be determined by the commissioner and certified by it to the state treasurer not later than 30 days following the establishment and approval of the tax rates of each town and city under this chapter. The commissioner shall reduce the amount of reimbursement thus determined by any amount paid or due that town or city for that year by or from the United States, another state, an interstate flood control agency or other source, because of such loss of taxable valuation. The governor is authorized to draw his warrant for the payment of such reimbursements out of any money in the treasury not otherwise appropriated. Provided, however, that reimbursement payments for loss of taxes on account of the acquisition of railroad or public utility

property shall be reduced to the extent that such railroad or public utility property is relocated [an] **and** reconstructed in the same town or city as a result of such acquisition, and thereby is included to that extent in the list of taxable property in said town or city as relocated.

2 Reimbursement Determined by Commissioner. RSA 122:6 is repealed and reenacted to read as follows:

122:6 Funding of Reimbursements; Minimum Amount. The commissioner of revenue administration shall propose to each biennial session of the legislature an amount needed to make the reimbursements provided for in RSA 122:4. The reimbursement shall be fixed for each year of the biennium equal to the amount which would have been assessed for the tax year immediately preceding that biennium.

Amend the bill by replacing section 4 with the following:

4 Effective Date. This act shall take effect June 19, 1989.

*Conferees on the Part
of the Senate*

Sen. Currier, Dist. 7
Sen. Bass, Dist. 11
Sen. King, Dist. 2

*Conferees on the Part
of the House*

Rep. Phelps, Merr. 1
Rep. Kidder, Merr. 2
Rep. Lewis, Merr. 5
Rep. Matson, Ches. 7

Senator Currier moved to adopt the Committee of Conference report.

Adopted.

HOUSE MESSAGE

HOUSE ADOPTS COMMITTEE OF CONFERENCE REPORTS

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bills:

SB 10, repealing a chapter on floating timber and damage therefrom.

SB 24, relative to liquor store displays and promotions.

SB 27, relative to the liability of landowners for hazardous waste cleanup.

SB 33-A, relative to construction on the Spaulding turnpike and making an appropriation therefore.

SB 51-FN, relative to the Christa McAuliffe planetarium

SB 52, relative to drug paraphernalia.

SB 67-FN, relative to regulation of excavation of sand, gravel, and construction aggregate.

SB 69, establishing a study committee relative to a home mortgage guarantee authority.

SB 70-A, relative to the technical assistance provided to municipalities by the office of state planning.

SB 71, authorizing the removal of a boat and mooring under certain circumstances and establishing a study committee on the boat registration fee structure and valuation of boat for registration.

SB 73-FN, establishing a committee to study taxing all tobacco products.

SB 76, relative to durable power of attorney for health care.

SB 77-FN, relative to holiday pay for certain part-time employees.

SB 81-FN, relative to the management of court facilities.

SB 82-FN, relative to judicial retirement pay and to vested rights in judicial retirement compensation.

SB 87-FN, establishing a committee to study exposure by certain persons to infectious diseases.

SB 88-FN, providing a cost of living adjustment for certain group I members.

SB 89-FN, providing a 5 percent cost of living adjustment for group I retirement system members and relative to defining "retired state employee" for state employees group insurance purposes.

SB 90-FN, providing a 4 percent cost of living adjustment for group II members.

SB 91, providing a 20% cost of living adjustment for teachers retired prior to July 1, 1957, and relative to retirement benefits for combined state and university system service.

SB 94, authorizing the sale of liquor and beverages in additional areas under a liquor license.

SB 97, relative to the distribution of drug forfeiture money.

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality.

SB 105-FN-A, making an appropriation for improving toilet facilities and electrical service at Weeks State Park in Lancaster.

SB 106-FN, relative to issuing temporary driver's licenses to new residents and authorizing additional positions for the department of safety and making an appropriation therefor.

SB 108-FN, relative to Skyhaven airport in Rochester.

SB 111, relative to the operation of ski craft.

SB 113-FN, establishing a study committee to examine medicaid coverage of dental benefits for all categorically eligible recipients.

SB 150, relative to the department of transportation federal aid highway appropriation accounts and making an appropriation therefor.

SB 153-FN-A, establishing a committee to study the AFDC program

SB 154-FN-A, relative to timely distribution of sweepstakes revenues through the foundation aid formula.

SB 164-FN, relative to licensing ophthalmic dispensers.

SB 168-FN, establishing a division of fire service

SB 175-FN-A, making an appropriation to the arts development program.

SB 191-FN-A, relative to telecommunications devices for the deaf and making an appropriation therefor.

SB 196-FN, relative to bail.

SB 203-FN, relative to employing minors enrolled in school.

COMMITTEE OF CONFERENCE REPORTS

SB 10, repealing a chapter on floating timber and damage therefrom. (See House Journal for Report.)

Senator Heath moved to adopt the Committee of Conference report.

Adopted.

SB 24, relative to liquor store displays and promotions. (See House Journal for Report.)

Senator Freese moved to adopt the Committee of Conference report.

Adopted.

SB 27, relative to the liability of landowners for hazardous waste cleanup. (See House Journal for Report.)

Senator Preston moved to adopt the Committee of Conference report.

Adopted.

SB 33-A, relative to construction on the Spaulding turnpike and making an appropriation therefore. (See House Journal for Report.)

Senator Torr moved to adopt the Committee of Conference report.

Adopted.

SB 51-FN, relative to the Christa McAuliffe planetarium. (See House Journal for Report.)

Senator Heath moved to adopt the Committee of Conference report.

Adopted.

SB 52, relative to drug paraphernalia. (See House Journal for Report.)

Senator Podles moved to adopt the Committee of Conference report.

Adopted.

SB 67-FN, relative to regulation of excavation of sand, gravel, and construction aggregate. (See House Journal for Report.)

Senator Preston moved to adopt the Committee of Conference report.

Adopted.

SB 69, establishing a study committee relative to a home mortgage guarantee authority. (See House Journal for Report.)

Senator Freese moved to adopt the Committee of Conference report.

Adopted.

SB 70-A, relative to the technical assistance provided to municipalities by the office of state planning. (See House Journal for Report.)

Senator Freese moved to adopt the Committee of Conference report.

Adopted.

SB 71, authorizing the removal of a boat and mooring under certain circumstances and establishing a study committee on the boat registration fee structure and valuation of boat for registration. (See House Journal for Report.)

Senator Heath moved to adopt the Committee of Conference report.

Adopted.

SB 73-FN, establishing a committee to study taxing all tobacco products. (See House Journal for Report.)

Senator McLane moved to adopt the Committee of Conference report.

Adopted.

SB 76, relative to durable power of attorney for health care. (See House Journal for Report.)

Conferees unable to reach agreement.

Report adopted.

SB 77-FN, relative to holiday pay for certain part-time employees. (See House Journal for Report.)

Senator Hough moved to adopt the Committee of Conference report.

Adopted.

SB 81-FN, relative to the management of court facilities. (See House Journal for Report.)

Senator Dupont moved to adopt the Committee of Conference report.

Adopted.

SB 82-FN, relative to judicial retirement pay and to vested rights in judicial retirement compensation. (See House Journal for Report.)

Senator Blaisdell moved to adopt the Committee of Conference report.

SENATOR NELSON: Senator Blaisdell, I find this rather interesting and maybe you could shed some light before I vote. This committee is going to study feasibility, so I understand it is a study committee, but for justices who are prohibited from practicing and now we want to allow. And now what we are thinking of is studying to see whether we should give them some retirement money?

SENATOR BLAISDELL: All this does is set up a committee to look into vesting rights and into contributions into the system. That is the only two things that it does.

Adopted.

SB 87-FN, establishing a committee to study exposure by certain persons to infectious diseases. (See House Journal for Report.)

Senator Krasker moved to adopt the Committee of Conference report.

Adopted.

SB 88-FN, providing a cost of living adjustment for certain group I members. (See House Journal for Report.)

Senator Magee moved to adopt the Committee of Conference report.

Adopted.

SB 89-FN, providing a 5 percent cost of living adjustment for group I retirement system members and relative to defining "retired state employee" for state employees group insurance purposes. (See House Journal for Report.)

Senator Delahunty moved to adopt the Committee of Conference report.

Adopted.

SB 90-FN, providing a 4 percent cost of living adjustment for group II members. (See House Journal for Report.)

Senator Delahunty moved to adopt the Committee of Conference report.

Adopted.

SB 91, providing a 20% cost of living adjustment for teachers retired prior to July 1, 1957, and relative to retirement benefits for combined state and university system service. (See House Journal for Report.)

Senator Blaisdell moved to adopt the Committee of Conference report.

Adopted.

SB 94, authorizing the sale of liquor and beverages in additional areas under a liquor license. (See House Journal for Report.)

Senator Delahunty moved to adopt the Committee of Conference report.

Adopted.

SB 97, relative to the distribution of drug forfeiture money. (See House Journal for Report.)

Senator Podles moved to adopt the Committee of Conference report.

Adopted.

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality. (See House Journal for Report.)

Senator Charbonneau moved to adopt the Committee of Conference report.

Adopted.

SB 105-FN-A, making an appropriation for improving toilet facilities and electrical service at Weeks State Park in Lancaster. (See House Journal for Report.)

Senator Blaisdell moved to adopt the Committee of Conference report.

Adopted.

SB 106-FN, relative to issuing temporary driver's licenses to new residents and authorizing additional positions for the department of safety and making an appropriation therefor. (See House Journal for Report.)

Senator Preston moved to adopt the Committee of Conference report.

Adopted.

SB 108-FN, relative to Skyhaven airport in Rochester. (See House Journal for Report.)

Senator Dupont moved to adopt the Committee of Conference report.

Adopted.

SB 111, relative to the operation of ski craft. (See House Journal for Report.)

Senator McLane moved to adopt the Committee of Conference report.

SENATOR MC LANE: I did want to say a couple of things about this bill. One, I wanted to thank you, Mr. President, for your help in the original bill. I know that all of us weren't that enthusiastic about some sort of a ban on jet skis, but I think that after 900 letters to me and other members of the Senate, that the President came up with a very good compromise and that was known as the Bartlett amendment to SB 111. I was happy with that compromise and I assumed that members of the House would be as well. But when we got over to the House, we learned that Kawasaki and Yamaha really put in the money and the lobbyists, and the bill went to a committee that I don't think it should have gone to and we've had a hard time with this bill for three months now. The reason that I want to speak on this bill is because I want to make very clear that although we have a good compromise here, it is not adequate. And, the main things that we have gotten is that no jet ski anywhere in New Hampshire can go closer than 300 feet to shore. That is the length of a football field. And if any 24 year old kid doesn't know how long a football field, I

think that he can not plead ignorance of the law. They also have tried to define coves, and I am not very happy with that because it is only a thousand linear feet which is just about where the 300 feet on either side would come into a cove any way. But we have made some progress, with the menace and the bother of jet skis. For every jet skier in the middle of the lake, you have got about a hundred people mad around the outside. And I think that we have tried our best to deal with that nuisance in the same way that the House and the Senate had before with off highway vehicles, but I do hope that if the governor, who is not pleased with this legislation, does deign to sign it, that he also will instruct the Department of Safety that both the House and the Senate have spoken that they want jet skis to be controlled in some way and that the Department of Safety will the very strong vote that came out of this Senate on the Bartlett amendment originally to mean that this body understands that if we want a tourist state, we want to keep our lakes quiet, calm and reasonably used.

Adopted.

SB 113-FN, establishing a study committee to examine medicaid coverage of dental benefits for all categorically eligible recipients. (See House Journal for Report.)

Senator Podles moved to adopt the Committee of Conference report.

Adopted.

SB 150, relative to the department of transportation federal aid highway appropriation accounts and making an appropriation therefor. (See House Journal for Report.)

Senator Torr moved to adopt the Committee of Conference report.

Adopted.

SB 153-FN-A, establishing a committee to study the AFDC program. (See House Journal for Report.)

Senator Krasker moved to adopt the Committee of Conference report.

SENATOR MC LANE: Senator Krasker, can you tell me, I can see that this report is going to be November, 1989, is there any hope that the AFDC payments could be increased in the next session of the legislature, if this is reported on time?

SENATOR KRASKER: I don't see why not. We'll have to go into a supplemental budget but there certainly would be information available. If you notice there is an amendment that we added in order to

collect information relative to the reasons that people request AFDC and six months of reporting by the division and then a report by November 1, 1989. So there will be additional data available early.

Adopted.

SB 154-FN-A, relative to timely distribution of sweepstakes revenues through the foundation aid formula. (See House Journal for Report.)

Senator Hough moved to adopt the Committee of Conference report.

Adopted.

SB 164-FN, relative to licensing ophthalmic dispensers. (See House Journal for Report.)

Senator Stephen moved to adopt the Committee of Conference report.

Adopted.

SB 168-FN, establishing a division of fire service. (See House Journal for Report.)

Senator Disnard moved to adopt the Committee of Conference report.

Adopted.

SB 175-FN-A, making an appropriation to the arts development program. (See House Journal for Report.)

Senator Blaisdell moved to adopt the Committee of Conference report.

Adopted.

SB 191-FN-A, relative to telecommunications devices for the deaf and making an appropriation therefor. (See House Journal for Report.)

Senator Heath moved to adopt the Committee of Conference report.

Adopted.

SB 196-FN, relative to bail. (See House Journal for Report.)

Senator Podles moved to adopt the Committee of Conference report.

Adopted.

SB 203-FN, relative to employing minors enrolled in school. (See House Journal for Report.)

Senator Disnard moved to adopt the Committee of Conference report.

SENATOR JOHNSON: Senator Disnard, are you satisfied now that the working hours for students are adequately protected here and that education will be essentially a first priority based on this bill?

SENATOR DISNARD: No, however, the committee of conference has agreed that we do not have enough data. We would have to view it for a year and then come back to the data that is available and see if it should be reconsidered.

Adopted.

GOVERNOR'S VETO MESSAGES

TO THE HONORABLE MEMBERS OF THE GENERAL COURT:

I have this day vetoed Senate Bill 19 establishing a joint legislative oversight committee on highway and bridge construction and reconstruction plans.

I have done so because I believe this legislation would result in an unconstitutional delegation of authority of the General Court to a committee thereof. As well, I am concerned that Senate Bill 19, insofar as it may require executive decisions to be approved by a legislative committee, may violate the constitutionally protected separation of powers doctrine.

This bill purports to grant a committee of ten legislators the power to overrule the judgments of the General Court with respect to construction of highways and bridges as expressed in Chapter 203, Laws of 1986 and subsequent enactments. Further, Senate Bill 19 could well require many executive decisions by the Governor and Council or Department of Transportation to receive the prior approval of the committee.

The government of this State is based upon the division of authority between the three branches and upon the concept that legislation and amendments thereto are to be enacted after consideration by

the full General Court. In furtherance of my duty to uphold these constitutional mandates, I have therefor found it necessary to veto this bill.

Judd Gregg
Governor
May 17, 1989

SENATOR TORR: I would ask you to override the Governor's veto of SB 19 establishing a joint legislative and oversight committee on the highway and bridge construction and reconstruction. I stand before you today on principle only because I think I can count reasonably well and there has been a fairly strong lobby by the Executive Council and the Governor. I probably made a mistake by making a statement into the newspaper indicating the fact I thought an override would be quite easy. I think that maybe after you listen to me you will certainly understand my principle. And maybe think in that persuasion but may not care to vote in that position. SB 19 was an outgrowth of SB 99, sponsored by Senate President Bartlett. And that was to establish a study committee to determine whether the Department of Transportation has fully implemented the legislative directives of the General Court. I happen to be the elected chairman of that study committee. It was comprised of 15 members, three of those being Senators, three Representatives and the remainder from the general public from all sections of the state and from a varied background. Being chairman of the gravel study committee, I would have to equate the two as being about equal as far as the amount of heated debate that took place. In fact, I think more heated debate took place in the highway study committee, than the gravel committee. Before you, you have a copy of the conclusions of the committee. And I would like to run through those briefly, if I may. The first one deals with legislative authority. I think that we have abdicated legislative authority to the Governor and Council by the actions of an executive order by our previous Governor. We have also abdicated our duty. I think it is our duty and obligation to set priorities for the highway construction and reconstruction and bridge construction and reconstruction. I think to point up an example that the committee would work, is the fact that we have a fiscal committee that functions quite well, it doesn't take away the authority of the legislature in any means. It just gives it the authority to act in their absences. This body would act and function the same way as the capital budget overview. I think in consideration of this thought strictly makes the second paragraph of the governor's veto void in my opinion. It doesn't make ten super persons, per se as the governor has indicated by his veto message.

As a result of that study committee, there was a need for direction for carrying out legislative specials and operating budget specials. And at times that has not occurred. Lack of communication between the Governor's Advisory Committee on highways, the DOT and the legislature, I am sure I could bet substantial dollars that not a person in this room could indicate when the last Governor's Advisory Committee met and what they dealt with for issues because the fact is that there is not really much of a public notification process that takes place. If, in fact, you ride the elevator you may notice the notification that is posted there. Other than that, I am not cognizant of any notification process. If in fact it was a legislative committee, you have a Senate Journal, a Senate Calendar, a House Calendar. Certainly a due process as far as notification takes place. Not a back door operation or a closed door operation. Item 4 was addressed because of the simple fact that the Department of Transportation did take some direction from that legislative committee and our submitting of reports of status of highway construction. There needs to be accountability too. The only accountability now that the Department of Transportation has is to the Executive branch. But I think as the legislators proposed and implement legislative prerogatives that accountability has to come back to them also. I would like to indicate to you for those who may have forgotten what SB 19 does or would do the following: it establishes a joint committee on highway and bridge plan oversight. The committee would consist of five Senate members and five House members. The committee would develop information and prepare recommendations for legislative action to continually update the state highway and bridge construction and reconstruction plan. The committee would also determine whether state and federal funds could be expected to be available over the next two years. The Department of Transportation would provide the committee and the governor's council with progress reports and suggestions for updating the ten-year highway plan. If the Department of Transportation can not comply with the ten-year highway plan, whether it be a delay, acceleration, elimination or modification of the project, the department would submit a recommended change to the committee at the same time as the recommendations are submitted to the Governor's Advisory Commission on Highways. The committee shall determine questions and priority of projects contained in the ten-year highway plan. I would submit to you going back to the governor's veto, that who ever wrote the governor's veto really isn't cognizant of the total process that is taking place, nor what the bill would have done if in fact it passed and in fact you give the override that I am asking for. I would state one more time, you are giving away authority, legislative authority. You are putting it in the hands of five executive councilors who pull the

strings to the director of the Department of Transportation. I think it is best handled in the legislative process and I would ask your support for an override of the governor's veto.

SENATOR PRESTON: I commend you for speaking on principle. I just don't think that anyone is listening, Senator. You spent a lot of hours and I commend you and that committee that was voted through this Senate almost unanimously. I think one Senator was absent and asked later to be recorded against it. The motion was made on this floor by Senator Charbonneau and seconded by myself and went to a voice vote without any verbal objections that I have heard before and it has been in the process for a very, very long time. What we heard in the committee was that the governor and council got their hand caught in the cookie jar. The fact was that they were not honoring legislative mandates and specials that went before them. By not awarding contracts, they could therefore flaunt the legislative intent. They had, in effect, instructed Commissioner Stickney not to come before them with legislation that was not included on the ten-year plan. Some items that might have come up through necessity to the legislators. Specifically, the areas of Route 10 in Keene, there was an impact study on the tolls in Nashua that Representative Jacobson had sponsored. There was a Route 1 study that Senator Krasker and myself had. They were told not to present them to the governor and council advisory committee. Therefore, in effect, the Department of Transportation and Commissioner Stickney were violating the legislative intent of the law and put in the middle of a boiling pot because of the councils action. And the governor and council have their own pet little projects at various intersections using the same funds, but that is okay. Are our actions supposed to be what is in the best interest of the governor and council districts? This is a very serious intrusion by the executive into the legislative process. This has gone on for a period of two years. And one phone call from an executive councilor or governor may be politically astute today, but it is poor policy for this very body. You are diminishing the very influence that the people elected to you on the floor of the Senate. This is definitely a power grab. And I hate to use those political tones but there is no question about it in my mind. That your vote to sustain the governor's veto is an improper one. Minutes after minutes and page after page of the commissioner and deputy commissioners indicated that they were not to come before the governor and council with any items that come out of this legislature that did not deal with the highway plan. The governor's veto message itself would convince me to override this veto, and I agree with you Senator Torr; I don't think that the person who offered it for the Governor knew well of which they spoke. But when he says

that it purports to grant a committee of ten legislators the power to overrule the judgment of the general court with respect to the construction of highway and bridges etc isn't that interesting that he wants three governor's councilors to override the entire legislative process. You may have got your call yesterday, folks, but vote for what is good in the whole process as we go and vote to override the governor's veto.

SENATOR HOUGH: I rise in support of the passage of SB 19 notwithstanding the veto of the governor. And I do that with a great deal of concern because I hold Governor Gregg in the highest respect. I would like this body to understand that as the Governor refers to an unconstitutional delegation of authority, I sense that by allowing this veto to stand we are begging, we are inviting a constitutional crisis. I come to this body having had a long standing friendship, and a close political and partisan ally in Governor Gregg. But I also come to this body with seventeen years of training under the people such as the late Arthur Drake, and I know the legislative process. And I know the appropriation process. And it is we and our colleagues on the other side of the wall who have the power to tax and the power to spend. It is we and it is only we, who have the power to approve bonded indebtedness of the State of New Hampshire. When I look at the Governor's veto message, I too question whether this is the pen of Judd Gregg or an uninformed and an unenlightened and a misunderstood lieutenant. At times I wish we had a parliamentary system because I would enjoy having the Governor on the floor of this body so he could debate. This clearly is an attempt to keep in place a ten-year plan which is a grab for power. The governor's council should not be involved in this process as outlined by Senator Torr. There have been again questions raised this very day of whether we should amend the constitution and take the council and place it in antiquity where it belongs and give the Senate the approval of political appointments. And I think there are twenty-four members of this body that would agree to that. And that is for another day. But the legislative authority is being eroded and we must stand firm and we must pass this. With all due respect to the Governor, it is the legislative body that has the power in this instance and you must affirm your right and pass this legislation. There are members of this body who have indicated to me that they would listen and their vote would be skewed based on what they heard in this debate. Now while that may be hard for me to believe, because I have been here too long and I recognize that most minds, if not all are made up. If there is one member of this body, who by any chance can rethink their position and vote on the side of reason and protect the legislative process and the legislative prerogatives,

cast your vote now to pass this bill notwithstanding the governor's veto and you will affirm the strength and the integrity of this body for years to come.

SENATOR STEPHEN: I was listening, Senator Preston. Senator Torr referred to the second paragraph that that should be voided and it said to grant a committee of ten legislators and then Senator Torr went on to say that the study committee would have five from the Senate and five from the House, and you say that these legislators would be from the council?

SENATOR TORR: Actually, the legislation proposes that five members from the Senate to be named by the Senate President and five members from the House be named by the Speaker. The legislation states nothing about overruling legislative prerogative. This is why I made the statement. Whoever wrote this didn't understand SB 19. In fact, he may not have read it, it is possible.

SENATOR STEPHEN: So Senator Torr, you are saying that this is wrong. That this grants the committee of ten legislators, this is wrong?

SENATOR TORR: My interpretation of the second paragraph is a misstatement.

Question: Shall the bill pass notwithstanding the veto of the Governor?

Roll Call requested by the Chair.

The following Senators voted yes: Freese, Hough, Disnard, Blaisdell, Stephen, St. Jean, Torr, Preston, Krasker.

The following voted no: Bond, King, Heath, Dupont, Currier, Roberge, Bass, Magee, Nelson, Charbonneau, McLane, Podles, Johnson, Delahunty.

Roll Call Results: 9 Yeas 14 Nays.

Veto sustained.

TO THE HONORABLE MEMBERS OF THE GENERAL COURT:

I have this day vetoed Senate Bill 135, an act relative to student literacy.

This legislation is inconsistent in that it provides in RSA 193 Section I that school attendance to age 18 is required effective 60 days after passage and the method for leaving school prior to age 18 pro-

vided in Section II is not effective until July 1, 1991. Thus there is a two year window in which there is no method for permitting students to leave school prior to age 18. The legislation also provides that the local school board shall determine the level of competency required for students of both public and private schools if a student is to be permitted to leave school prior to age 18 as of July 1, 1991. It is inappropriate to subject private schools which would include parochial schools to such local school board control.

It is for these reasons that I must veto Senate Bill 135; however, I would welcome a new piece of legislation that appropriately addresses these concerns.

Judd Gregg
Governor
May 1, 1989

Roll Call requested by the Chair.

The following voted no: Bond, King, Heath, Freese, Hough, Dupont, Currier, Disnard, Roberge, Blaisdell, Bass, Magee, Nelson, Charbonneau, McLane, Podles, Johnson, Stephen, St. Jean, Torr, Delahunty, Preston, Krasker.

Roll Call Result: 0 Yeas 23 Nays

Veto sustained.

ENROLLED BILLS AMENDMENTS

Enrolled Bill Amendment to HB 300-FN-A

Amend subparagraph II(e) of section 2 of the bill by replacing line 1 with the following:

(e) The commissioner of the insurance department or designee.

Amend paragraph III of section 2 of the bill by replacing line 4 with the following:

first meeting of those appointed in paragraph II within 60 days of the effective date of this
Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects an error in the terminology and also inserts a phrase for technical clarification.

Adopted.

Enrolled Bill Amendment to HB 396-FN

Amend RSA 151-A:11, I as inserted by section 9 of the bill by replacing lines 1-3 with the following:

I. The license registration or both of any person practicing or offering to practice nursing home administration may be revoked or suspended, or

Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects the wording of an existing RSA section.

Adopted.

Enrolled Bill Amendment to HB 353

Amend the bill by replacing all after section 1 with the following:

2 Contingency; Renumbering. If HB 28, "An act prohibiting internal combustion engines on Willand Pond in the cities of Somersworth and Dover" becomes law, RSA 486:38 as inserted by section 1 of this act shall be renumbered to read as RSA 486:41. If HB 28 does not become law, RSA 486:38 as inserted by section 1 of this act shall be renumbered to read as RSA 486:40.

3 Effective Date. This act shall take effect 60 days after its passage.

Senator Currier for the committee.

SENATOR CURRIER: This amendment inserts a contingency provision in the bill renumbering an RSA section.

Adopted.

Enrolled Bill Amendment to SB 9

Amend RSA 231:81, II(a) as inserted by section 1 of the bill by replacing line 2 with the following:

of RSA 231:8-12; or

Senator Currier for the committee.

SENATOR CURRIER: This amendment corrects a citation.

Adopted.

Enrolled Bill Amendment to SB 14

Amend RSA 265:89 as inserted by section 18 of the bill by replacing line 7 with the following:

alcohol in his blood] **an alcohol concentration of 0.05 or less** is prima facie

Senator Currier for the committee.

SENATOR CURRIER: This amendment re-inserts two omitted words.

Adopted.

HOUSE MESSAGES

HOUSE ADOPTS COMMITTEE OF CONFERENCE REPORTS

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bills:

HB 29, relative to liquor laws.

HB 42, relative to actuarial review of rate fillings.

HB 50, exempting the department of transportation, the department of safety, and the department of postsecondary vocational-technical education from the authority of the director of information services.

HB 70, establishing a study committee to examine the vocational education system.

HB 85, relative to employer enrollment oversight and the New Hampshire retirement system and relative to eligibility for membership in the retirement system.

HB 104, relative to common and contract carriers.

HB 117, relative to feeding garbage to swine.

HB 146, relative to the milk standard.

HB 206, prohibiting the use and operation of petroleum-powered boats on Bradley Lake in the town of Andover.

HB 222, limiting horsepower of motors on Indian Pond in the town of Orford.

HB 260, relative to distribution of catastrophic aid.

HB 262, extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a joint oversight committee and related committees to study issues regarding children.

HB 270, relative to motorcycle safety, establishing a motorcycle rider safety fund, and making a continual appropriation therefor.

HB 273, authorizing the transfer of sick and annual leave and longevity credit for certain state employees.

HB 288, relative to penalties for aggravated DWI and for negligent homicide.

HB 327, relative to the rate of the real estate transfer tax.

HB 371, relative to licensing respirator care practitioners and making an appropriation therefor.

HB 384, establishing a task force to review the recommendations of the Manchester airport and highway study.

HB 385, making appropriations for vacation travel promotion and increasing the rate of the tobacco tax.

HB 434, relative to franchising and regulation of cable television systems and making an appropriation therefor.

HB 464, relative to sons and daughters of members of charitable organizations assisting with bingo games.

HB 502, relative to disclosure of mental health information.

HB 578, relative to victim's assistance and compensation.

HB 582, relative to a committee to review surface water use restrictions on the public waters of the state.

HB 594, to reinstate medical and surgical benefits for certain retired employees.

HB 613, relative to the method for granting supplemental allowances to New Hampshire retirement system members.

HB 629, relative to gravesites.

HB 650, relative to removing tax collectors.

HB 654, creating a committee to study what organizations may participate in the New Hampshire retirement system.

HB 658, establishing a committee to study the laws relative to depositions.

HB 677, relative to modifications of child support guidelines.

HB 693, relative to the leasing of submerged tidal lands.

HB 710, regulating the use of social security numbers by the department of safety.

HB 764, relative to state revenues and appropriations.

HB 766, making a supplemental appropriation for flood control and relative to the calculation of flood control reimbursements.

ENROLLED BILLS REPORT

HB 39, relative to the distribution of OHRV fees.

HB 56, authorizing a collection program for unwanted pesticides in the possession of farmers and making an appropriation therefor.

HB 111, relative to moorings.

HB 140, relative to delinquent children and children in need of services.

HB 144, relative to minor mothers and their infants.

HB 239, relative to legalizing town meetings.

HB 289, relative to stumps, leaves, and yard waste.

HB 305, amending the 10-year highway plan.

HB 376, licensing physician assistants.

HB 429, establishing a task force on law provider participation in Medicaid.

HB 503, relative to business and voluntary corporations and reinstating the charters of S.P.B., Inc. and Jefferson, Currier & company, Inc.

HB 516, relative to illegal dumping of garbage.

HB 606, relative to approvable plans for solid waste management districts.

HB 681, relative to workers' compensation.

HB 699, prohibiting the possession of firearms by career criminals and imposing a minimum mandatory sentence.

HB 737, amending the joint state-capitol city planning commission.

HB 752, relative to domestic violence.

HB 755, establishing a committee to study shoreline protection.

SB 5, permitting a corporation to limit the liability of its directors and officers in its articles of incorporation.

SB 61, relative to preserving the old state house and making an appropriation therefor.

SB 99, supplementing the funding for programs which assist victims of domestic violence.

SB 110, relative to joint and several liability and pollution liability.

SB 145, to authorize municipalities to establish special revenue funds.

SB 147, relative to waiting lists for developmentally disabled persons.

SB 152, relative to a study of a portion of the Spaulding Turnpike and making an appropriation therefor; and establishing a committee to study traffic problems on Routes 16 and 30-2 in the Mt. Washington Valley.

Senator Currier for the committee.

Adopted.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the present time, and that when we adjourn, we adjourn until Wednesday, May 24, 1989 at 2:30 p.m. .

Adopted.

LATE SESSION

Senator Dupont moved to adjourn.

Adopted.

Adjournment

Wednesday, May 24, 1989

The Senate met at 2:30 p.m.

A quorum was present.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Lord, we often wonder when we come to a close whether we did as well as we could! "Que est?"

Have a good summer with your families and friends and enjoy all which it offers!

May the Lord watch between Me and Thee - while we are absent one from another. God Bless!!

Amen

Senator Delahunty led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

SPEAKER OF THE HOUSE MESSAGE

SPEAKER OF THE HOUSE DOUGLAS SCAMMAN: It is a pleasure to be invited in to say hello to all of you. I look around the room and I see nothing but friends. I appreciate the ease that the session has gone on. It means that all of you have worked very well and easily with the members of the House. We've had a few moments, I know Senator Bartlett has come over and thanked me for killing a few bills. He actually came over and wished I had killed a few others, but we did a pretty good job on keeping some major bills out of here but, I think most importantly, the fruit of our work is going to be shown this afternoon when we do pass our budget. And that budget not only meets all the needs that we know of in the next two years, but it does not take away money from the towns and cities, and gives more money to school districts. I think it is an extremely outstanding budget, when you consider the fact that we faced this biennium with budget that had been funded with a major surplus in the previous biennium. I think we did an outstanding job. There was a lot of work done by the appropriations committee and a lot of work done by Senate Finance. We recognize them both for the work they did. It is always a major piece of work that is done in the session and once again, thank you, Bill, for letting me come in and say hello and I thank all of you for a great session

GOVERNOR'S MESSAGE

GOVERNOR GREGG: It has been a pleasure to work with you over these last few months. And my first experience working with the legislature from the other side of the aisle. It has been enjoyable. I especially enjoyed working with the shy, retiring leadership that you have and also on numerous occasions having the chance to work with each individual in the Senate. We have taken up some tough issues and I think we've done very well. We have served the state extremely well as a legislative body and as a government, generally. The difficult issues, of course the budget, was resolved thanks to a lot of hard work on many people in this chamber, in fact, on every one in the chambers, efforts. Issues such as the public power authority were taken up and dealt with in a very effective way. Many of the concerns about the quality of life issues were brought up and dealt with in a very effective way. You have a proud record to reflect on for this first session of the Senate in this biennium and I congratulate you on it. I look forward to working with you in the next session. It should be an interesting session also and I thank you for all your support and assistance over these last few months. Thank you very much.

COMMITTEE OF CONFERENCE REPORTS

COMMITTEE OF CONFERENCE REPORT ON HB 200-A

The committee of conference to which was referred House Bill 200-A, An Act making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990, and June 30, 1991, having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after section 5 with the following:

6 Personal Services Reduction.

I. Notwithstanding any other law to the contrary, the total number of permanent classified positions for any department or agency, except for positions in the department of employment security and the veterans' home and position #10305, department of agriculture, weights and measures inspector, for the biennium ending June 30,

1991, shall not exceed the number of full-time and permanent classified positions in pay status on April 1, 1989, including any position waivers granted under the provisions of Executive Order 89-1, as amended, and such new positions as are authorized by the general court. For the purpose of this section the term "pay status" includes the position of any person on approved leave, paid or unpaid.

II. The executive head of the department or agency shall determine which positions shall be filled within the limitations of the personal services appropriations for the department or agency less the reductions authorized by paragraph IV of this section. In making this determination, the executive head shall be governed by the total personnel classifications which were available to the department or agency in fiscal year 1989, the personnel classifications authorized in this act, and the numerical limitations imposed by this section. Under no circumstances shall the salary adjustment fund be used to reinstate positions abolished pursuant to paragraph I.

III. This section shall not apply to agencies having an authorized compliment of 5 permanent classified positions or less. The provisions of this section shall also not apply to temporary, part-time, or seasonal positions authorized by class 50 appropriations.

IV. The commissioner of administrative services shall reduce all appropriate appropriations by the amount reflected for positions abolished in accordance with this section.

7 Assignment of Office Space. If, during the biennium ending June 30, 1991, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the comptroller to the bureau of general services, PAU 01, 04, 05, 05, 01 for maintenance of state buildings.

8 Sweepstakes Commission; Authority Granted. For the biennium ending June 30, 1991, in order to provide sufficient funding to the sweepstakes commission to carry out sweepstakes programs that will provide funds for distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new sweepstakes programs or for the purchase of any tickets for new or continuing games. The commission is authorized to transfer up to \$37,500 per quarter for any sweepstakes current expense item upon subsequent notification within 10 days to

the fiscal committee and the governor and council citing the reasons and justification therefor. Additionally, no expenditures for consultants shall be contracted without prior approval by the fiscal committee. If approval of any such new program, purchase of tickets or consulting services is given, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$3,500,000 for the biennium ending June 30, 1991.

9 Attorney General; Special Provision. For the biennium ending June 30, 1991, filing fees received by the attorney general pursuant to RSA 7:28-a shall be deposited with the state treasurer as restricted revenue; and any excess of such revenue over the amounts appropriated for the division of charitable trusts shall lapse to the unappropriated surplus of the general fund. Expenditures from this fund shall not be made except by appropriation by the general court.

10 Appropriation of Unrestricted Motor Vehicle Revenue. All sums received by the division of motor vehicles or the division of state police, department of safety, from any source, which are not derived from registration fees, drivers' licenses, gasoline road tolls or any other special charges or taxes with respect to the operation of motor vehicles or the sale or consumption of motor vehicle fuels, including revenue received from fines and forfeitures assessed against any violator of any law of the state, other than RSA 266:18-266:26, or of any political subdivision thereof relative to the use and operation of motor vehicles, whether the violator is apprehended or prosecuted by an employee of the state or any political subdivision thereof, shall be paid to the state treasurer and shall, for the biennium ending June 30, 1991, be available for expenditure as unrestricted general fund revenues of the state. Fines and forfeitures assessed against any violator of RSA 266:18-266:26 shall be available as unrestricted highway fund revenues.

11 Police Standards and Training Council. In case increased enrollment makes necessary the expenditure of additional funds by the police standards and training council over budget estimates in order to meet mandated training requirements, the legislative fiscal committee, with the concurrence of the governor and council, may authorize the police standards and training council to transfer unappropriated penalty assessment funds to operating accounts for such purposes.

12 Lapse to General Fund. On June 30, 1989, the sum of \$221,814.62 in account number 10-23-1110, driver and safety education fund, carried forward from fiscal 1988 to fiscal 1989, shall lapse to the general fund.

13 Appropriations Reduction; Department of Corrections. The department of corrections is hereby directed to reduce all state general

fund appropriations by \$250,000 for each of the fiscal years ending June 30, 1990, and June 30, 1991. The commissioner of the department of corrections shall, within 15 days of the effective date of this act, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section.

14 Positions Abolished or Created. The legislative budget assistant shall provide to the division of personnel within 30 days after the effective date of this act a list of the permanent positions authorized or abolished in this act.

15 Positions Reclassified. Within the department of environmental services the following positions shall be reclassified as follows effective at the close of business on July 1, 1989:

I. PAU 03, 04, 02, 03, 01, wetlands board, position number 11366 shall be reclassified to that of bureau administrator, IV, step 1.

II. PAU 03, 04, 02, 03, 02, coastal program, position number 18152 shall be reclassified to that of environmentalist IV, step 2.

16 Additional Appropriation. The sum of \$11,000 is hereby appropriated, for the fiscal year ending June 30, 1990, to the New Hampshire bicentennial commission to be deposited in the nonlapsing United States Constitution bicentennial commission fund established by 1985, 299:5, as amended. This appropriation shall be in addition to any other sums appropriated to the commission. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

17 Appropriations Reduction; Liquor Commission. The liquor commission is hereby directed to reduce all state general fund appropriations for the fiscal year ending June 30, 1991, in an amount not less than \$750,000. The commission shall submit to the fiscal committee by December 31, 1989, a plan outlining its general fund reductions by means of consolidating store locations and readjusting store sizes in a manner that is more cost effective and better proportioned to the areas they serve. Upon approval of the fiscal committee, the commission shall, within 15 days, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to fully comply with this section.

18 Positions Abolished. The following positions are hereby abolished forthwith effective at the close of business on July 1, 1989:

Budget Number Position Numbers

05, 01, 05, 01, 07 14994.

05, 01, 02, 07 17374.

03, 03, 02, 03 11489.

19 Appropriation. The sum of \$1,000,000 is hereby appropriated for the fiscal year ending June 30, 1989, to the general court joint

expenses PAU for the purpose of acquiring items of historical value. This appropriation shall be nonlapsing. The governor is authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

20 One Percent Reduction. Appropriations made to the department of health and human services, exclusive of boards administratively attached to the department, from the general fund shall be reduced by one percent across the board for each of the fiscal years ending June 30, 1990, and June 30, 1991.

21 Appropriations Reduction; Office of the Commissioner, Health and Human Services. The office of the commissioner of health and human services is hereby directed to reduce all of its state general fund appropriations for the financial services unit by \$300,000 for the fiscal year ending June 30, 1990, and by \$400,000 for the fiscal year ending June 30, 1991.

22 Appropriations Reduction; New Hampshire Hospital. The division of mental health and developmental services is hereby directed to reduce all state general fund appropriations at the New Hampshire hospital by \$1,900,000 for the fiscal year ending June 30, 1991. The director of the division shall, by October 1, 1990, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section.

23 Appropriations Reduction; Laconia Developmental Services. The division of mental health and developmental services is hereby directed to reduce all state general fund appropriations at the Laconia developmental services center by \$2,200,000 for the fiscal year ending June 30, 1991. The director of the division shall, by October 1, 1990, notify the department of administrative services as to the specific amounts to be reduced in specified line item appropriations in functional units, in order to comply fully with this section.

24 Request for New Positions. The commissioner of the department of transportation may, with prior approval of the fiscal committee and the approval of governor and council, request funds from the highway surplus fund for PAU 04, 01, 01, 05 to establish no more than 7 new positions in the data management bureau, provided that the commissioner justifies the need, and provided that the highway fund surplus projection for the biennium ending June 30, 1991, is sufficient to fund the positions. The commissioner of administrative services shall transfer funds upon approval of the fiscal committee and approval of governor and council, and the sums so approved are hereby appropriated from the highway fund.

25 Estimates of Unrestricted Revenue.

GENERAL FUND	1990	1991
Beer	\$ 12,600,000	\$ 12,600,000
Board and Care	15,000,000	15,000,000
Business Profits Tax	149,675,000	158,700,000
Estate and Legacy Tax	32,400,000	34,800,000
Insurance	46,000,000	50,000,000
Interest and Dividend Tax	41,000,000	43,450,000
Liquor	55,925,000	57,925,000
Meals and Room Tax	87,000,000	92,500,000
Parks Income	6,000,000	6,000,000
Dog Racing	8,325,000	8,325,000
Horse Racing	2,625,000	2,625,000
Real Estate Transfer Tax	41,700,000	42,400,000
Telephone	10,500,000	11,000,000
Cigarette Tax	35,500,000	35,500,000
Utilities	8,500,000	9,000,000
Other	38,600,000	37,975,000
Courts	29,875,000	33,400,000
Savings Bank Tax	11,000,000	12,000,000
Total	\$ 632,225,000	\$ 663,200,000
HIGHWAY FUND		
Gasoline Road Toll	\$ 91,600,000	\$ 95,200,000
Motor Vehicle Fees	57,300,000	59,100,000
Miscellaneous	9,700,000	10,100,000
Total	\$ 158,600,000	\$ 164,400,000
FISH AND GAME FUND		
Fish and Game Licenses	\$5,550,000	\$5,870,000
Fines and Penalties	70,000	70,000
Miscellaneous Sales	150,000	150,000
Indirect Costs	150,000	125,000
Total	\$5,920,000	\$6,215,000

26 Effective Date.

I. Section 19 of this act shall take effect June 1, 1989.

II. The remainder of this act shall take effect July 1, 1989.

*Conferees on the Part
of the Senate*

Sen. Bartlett, Dist. 19
Sen. Blaisdell, Dist. 10
Sen. Hough, Dist. 5

*Conferees on the Part
of the House*

Rep. Scamman, Rock. 19
Rep. Kidder, Merr. 2
Rep. Hager, Merr. 21
Rep. Gross, Merr. 16
Rep. Matson, Ches. 7

Senator Blaisdell moved to adopt the Committee of Conference report.

Adopted.

COMMITTEE OF CONFERENCE REPORT ON HB 100-A

The committee of conference to which was referred House Bill 100-A, An Act making appropriations for capital improvements having considered the same, report the same with the following recommendations:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after the enacting clause with the following:

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies and branches named:

I. Adjutant General

A. Replace 40 overhead doors*	\$65,000
Less federal	-48,750
Net appropriation subparagraph A	16,250
B. Boiler replacement-Manchester*	93,000
C. Roof replacements*	185,000
D. Runway repairs*	164,000
Less federal	-123,000
Net appropriation subparagraph D	41,000
E. Air handling and environmental control*	55,000
Total state appropriation paragraph I	\$390,250

II. Administrative Services

A. Londergan Hall renovations	\$145,000
B. Repair State House dome	250,000
C. Spaulding Hall renovations	1,844,000
D. D.I.S. UPS power*	525,000
E. Design state house annex air conditioning	110,000
Total state appropriation paragraph II	\$ 2,874,000

(The funds appropriated in subparagraph II, E shall not be spent, obligated, or encumbered until such time as the department of administrative services has developed an action plan and received the approval of such plan from the capital budget overview committee.)

III. Attorney General

A. Computer system*	\$277,208
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Total state appropriation paragraph III	\$277,208
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(No funds appropriated in this paragraph shall be expended, encumbered, or obligated in any way without the prior approval of the fiscal committee.)

IV. Environmental Services

A. Water resources division

1. Small watershed programs	\$100,000
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2. Rechannelization of Stag Hollow	25,000
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Brook - Jefferson	
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Total state appropriation paragraph IV	\$125,000
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V. Health and Human Services

A. New Hampshire Hospital

1. Laundry dryer equipment*	48,000
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Total subparagraph A	\$48,000
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B. Laconia Developmental Services

1. Roof replacement	\$96,600
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2. Replace steam lines	\$92,000
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Total subparagraph B	\$188,600
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C. Glenclyff Home for the Elderly

1. Roof replacements	\$65,000
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2. Rewire Adams Hall and Brown Building	350,000
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3. Replace poles and wiring to Hydro House	100,000
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4. Generator replacement	75,000
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Total subparagraph C	\$590,000
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D. Children and Youth Services

1. Asbestos abatement-Philbrook and YDC	\$450,000
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2. Design for renovation Pinecrest Cottage - YDC	48,000
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3. Install loading dock lift-YDC	125,000
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4. Rewire Administration Building-YDC	36,000
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5. Air handling-Philbrook	40,000
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Total subparagraph D	\$699,000
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Total state appropriation paragraph V	\$ 1,525,600
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VI. Liquor Commission

A. Point of sale equipment/emergency power for computers*

\$ 2,800,000

Total state appropriation paragraph VI	\$ 2,800,000
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VII. Port Authority

A. Application and permitting -

Port of Portsmouth Expansion	\$130,000
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Total state appropriation paragraph VII	\$130,000
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(The funds appropriated in this paragraph shall not be spent, obligated, or encumbered until such time as the port authority has developed an action plan and received the approval of such plan from both the capital budget overview committee and the governor and council.)

VIII. Postsecondary Vocational-Technical Education

A. NHVTC - Manchester

1. Phase I rehabilitation of Knox Building \$ 1,200,000

Total appropriation subparagraph A \$ 1,200,000

B. NHVTC - Claremont

1. Library remodeling and renovation/
renovation of existing machine shop
into business and computer center \$600,000

Total appropriation subparagraph B \$600,000

C. NHVTC - Nashua

1. Drainage and Dredging \$50,000

2. Auto body repair spray booth 85,000

Total appropriation subparagraph C \$135,000

D. Office of Commissioner

1. Remove and replace various fuel tanks \$386,000

Total appropriation subparagraph D \$386,000

E. NHTI - Concord

1. Reconstruct pumping station* \$26,000

Total appropriation subparagraph E \$26,000

F. NHVTC - Stratham

1. Computer/drafting teacher stations* \$62,000

2. CNC machine center * \$50,000

Total appropriation subparagraph F \$112,000

Total appropriation paragraph VIII \$ 2,459,000

IX. Resources and Economic Development

A. Mount Sunapee and Cannon - ski areas
improvement - snowmaking \$ 1,800,000

B. Cannon Mountain chair lift \$800,000

C. Handicapped accessibility-various parks 200,000

D. Bathhouse-Pawtuckaway state park 50,000

Total appropriation paragraph IX \$ 2,850,000

X. Revenue Administration

A. Computer hardware and soft ware
development \$ 2,725,508

Total appropriation paragraph X \$ 2,725,508

(No funds appropriated in this paragraph shall be expended, encumbered, or obligated in any way without the prior approval of the fiscal committee.)

XI. Supreme Court

A. Concord District Court (to be constructed on state-owned land on Clinton Street)	\$ 3,600,000
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Total appropriation paragraph XI	\$ 3,600,000
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XII. Transportation

A. Aeronautics division

1. Keene Dillant-Hopkins Airport-airport improvements	\$ 5,000,000
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Less Federal (FAA)	- 4,500,000
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Less Local (Keene)	-250,000
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Net appropriation subparagraph 1	\$250,000
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2. Mt. Washington Regional Airport-Whitefield and Berlin Municipal Airport-Berlin/purchase install and maintain FAA certified automatic weather observation system #3.	\$200,000
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3. Lebanon Municipal Airport-construct extension of parallel taxiway to runway 25 threshold	\$ 1,730,300
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Less Federal	- 1,557,270
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Less Local	-86,515
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Net appropriation, subparagraph 3	\$86,515
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4. Skyhaven Airport

(a) Lighting project	\$492,410
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Less Federal	\$-443,169
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Net appropriation, subparagraph 4(a)	\$49,241
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(b) Parallel taxiway project	\$460,000
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Less Federal	\$-414,000
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Net appropriation, subparagraph 4(b)	\$46,000
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Net appropriation subparagraph 4	\$95,241
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Total appropriation subparagraph A	\$631,756
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Total state appropriations paragraph XII	\$631,756
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Total state appropriation section 1	\$ 20,388,322
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*To Be 5 Year Bonds.

2 Appropriation; University System of New Hampshire. The sums hereinafter detailed are hereby appropriated for the projects specified:

A. Asbestos Removal	\$300,000
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B. Life safety and handicapped	300,000
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C. Renovation academic buildings-Keene	1,800,000
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D. Design Biological Lab Bldg/shelving-Diamond Library-UNH	1,900,000
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E. Renovation/rehabilitation-Mason Library-Keene	1,200,000
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F. Cultural Arts Building-Plymouth	9,000,000
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Less Other (Donations, grants, etc.)	-1,500,000
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Net appropriation subparagraph F	\$7,500,000
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G. NH public television network

equipment replacement 300,000

Total state appropriation section 2 \$ 13,300,000

3 Appropriation; Departments of Safety and Transportation. The sums hereinafter detailed are hereby appropriated for the projects specified:

I. Safety

A. Design/demonstration/repairs/replacement

of radio system \$300,000

B. Construct Hayes Building addition \$ 1,900,000

Total appropriation paragraph I \$ 2,200,000

(Of the amount appropriated in subparagraph I, A, \$105,000 shall be used to purchase radio equipment for the Milford Troop Station.)

II. Transportation

A. Design John O. Morton Bldg. addition \$380,000

B. Replace underground fuel tanks 800,000

C. Bank stabilization Merrimack River-
Morton Building 483,000

D. Replace burners-Morton Building 45,000

E. Digitizing USGS base maps 450,000

Total appropriation paragraph II \$ 2,158,000

Total state appropriation section 3 \$ 4,358,000

4 Appropriation; Fish and Game. The sums hereinafter detailed are hereby appropriated for the projects specified:

I. Fish and Game

A. Repair/replace waterlines \$180,000

Less federal -135,000

Net appropriation subparagraph A 45,000

B. Pool/raceway enclosures \$167,000

Less federal -125,250

Net appropriation subparagraph B 41,750

C. Repair/replace concrete pools and raceway \$558,000

Less federal -418,500

Net appropriation subparagraph C 139,500

Total state appropriation paragraph I \$226,250

Total state appropriation section 4 \$226,250

5 Expenditures; General. The appropriation made for the purposes mentioned in sections 1, 3 and 4 and the sums available for those projects shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 228.

6 Expenditures; University System of New Hampshire.

I. The appropriations made for the purposes mentioned in section 2 and the sums available for these projects shall be expended by the trustees of the university system of New Hampshire. All contracts for the construction of all or any part of said building or facilities shall be let only after competitive sealed bids have been received and only after an advertisement calling for such bids has been published at least once in each of 2 successive calendar weeks in a newspaper of general circulation in New Hampshire or in a trade journal known to be circulated among the contractors from whom bids will be sought within the state of New Hampshire or elsewhere in the area. The first publication of such advertisement shall be not less than 30 days prior to the date the bids will be received. All conditions considered, wherever possible, it is recommended that the services of New Hampshire architectural and construction firms be considered within the discretion of the trustees.

II. The appropriations made in section 2 are available for all costs incidental to the completion of the projects enumerated including the costs of the services of architects, engineers, and other consultants of such kind and capacity as the university system board of trustees may, in its discretion, wish to employ on such terms and conditions as the board determines. These moneys shall be spent under the direction of the university system board of trustees.

III. If, in the judgment of the trustees of the university system, just cause exists indicating the lowest bid should be rejected, then the contract may be awarded to the next lowest bidder; or, if the next lowest bid should be rejected, the contract may be awarded to the third lowest bidder.

IV. The board of trustees of the university system has the right to reject any and all bids and, if the lowest bid is in excess of the appropriation, the board has the right to negotiate with the low bidder or with the 3 lowest bidders for a contract for the construction upon terms considered most advantageous to the university. If only one bid is received, the board of trustees may negotiate a contract for the construction on terms considered most advantageous to the university system and to the state. Any authorization contained in this act which is at variance with the requirements of applicable federal law and regulations shall be controlled by the terms of the federal law and regulations.

7 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, and 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$38,046,322 and for said purposes may issue bonds and notes in the name and on behalf of the the state of New Hampshire in accordance with the provisions of RSA 6-A.

8 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in sections 1 and 2 shall be made when due from the general funds of the state.

II. The payment of principal and interest on bonds issued for projects in section 3 shall be made when due from the highway fund.

III. The appropriations in section 4 shall be charged directly to the fish and game fund.

9 Liquidation. The state treasurer is authorized to deduct from the fund accruing to the university under RSA 187-A:7, or appropriation in lieu thereof, for each fiscal year such sum as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued for the purposes of section 2.

10 Land Acquisition. Any land acquired under the appropriations made in sections 1, 3 and 4 except such land, if any, as may be acquired under the appropriation for the division of water resources, shall be purchased by the commissioner of transportation with the approval of governor and council.

11 Architectural Requirements. No new building authorized by this act shall be constructed without meeting life safety code requirements, handicapped architectural barrier-free code requirements and energy conservation code requirements.

12 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal fund which are, or become available for any project under sections 1, 3 and 4 beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 7 shall be reduced by the same amount.

13 Transfers. The individual project appropriations provided in sections 1, 3 and 4 of this act shall not be transferred or expended for any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by governor and council to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital budget oversight committee is obtained.

14 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1, 3 and 4 is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such project and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced.

15 Increase Bond Authorization; Dam Maintenance Fund. Amend RSA 481:31 to read as follows:

481:31 Bonds Authorized. To provide working capital for initiation of the fund established in RSA 481:30, the state treasurer is hereby authorized to borrow upon the credit of the state the sum of [\$3,200,000] **\$4,200,000** and for said purpose shall issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A.

16 Appropriation; State Water Pollution Control Revolving Loan Fund. The sum of \$7,200,000 is hereby appropriated for the biennium ending June 30, 1991, to the department of environmental services for the purpose of providing a 20 percent state matching grant for the federal funds to be deposited into the state revolving loan fund established by RSA 149-B:12. This appropriation is an estimate of the 20 percent required match for this biennium. In the event that the federal funds for this purpose are decreased, the state appropriation shall be reduced in proportion to the amount the federal funds have been decreased.

17 Bonds Authorized. To provide funds for the appropriation made in section 16 of this act, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of \$7,200,000, and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

18 Payments. The payment of principal and interest on bonds and notes issued for the project in section 16 shall be made when due from the general fund.

19 Appropriation; Supreme Court. The sum of \$396,000 is appropriated to the supreme court for the preparation of preliminary design and final design and construction documents for a new facility for the Rockingham county superior and probate courts. Design of the project shall be done utilizing the generic plans developed for the Hillsborough county courthouse at Nashua. Design of this project shall be done in such a way as to allow for construction to be done in stages. Preliminary design documents must receive the approval of the capital budget overview committee, prior to the preparation

of final design and construction documents. This appropriation shall be a charge against the court facilities escrow account established pursuant to RSA 490:26-c.

20 Appropriation; Executive - State Planning. The sum of \$18,000,000 is hereby appropriated for the biennium ending June 30, 1991, to the office of state planning for purposes of the land conservation fund.

21 Bonds Authorized. To provide funds for the appropriation made in section 20 of this act, the state treasurer is authorized to borrow upon the credit of the state not exceeding the sum of \$18,000,000, and for said purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A; provided that bonds or notes issued for \$8,000,000 of the appropriation shall not be issued until on or after November 1, 1989, and bonds or notes issued for the remaining \$10,000,000 of the appropriation shall not be issued until on or after November 1, 1990.

22 Payments. The payment of principal and interest on bonds and notes issued for the project in section 20 shall be made when due from the general fund.

23 Appropriation; Aeronautics Commission. Amend 1985, 409:6, as amended by 1987, 399:27 to read as follows:

409:6 Appropriation - Self Liquidating [Revenue] **General Obligation** Bonds; Aeronautics Commission. The sums hereinafter detailed are hereby appropriated for the project specified:

I. Aeronautics commission

A. Design and construction of hangar - Skyhaven	\$167,500**
Total appropriation paragraph I	\$167,500
Total state appropriation section 6	\$167,500

** To Be 10 Year Bonds.

24 Bonds Authorized. 1985, 409:11, III as amended by 1987, 399:28 is repealed and reenacted to read as follows:

III. To provide funds for the purpose of section 6, the design and construction of Skyhaven hangar project, the state treasurer is hereby authorized to borrow upon the credit of the state in the amount of \$167,500 and for said purpose shall issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The interest and principal due on the bonds or notes issued under this paragraph shall be a direct charge against the Skyhaven hangar revenues, but the faith and credit of the state shall be pledged for the payment of the bonds.

25 Bonds Authorized. 1988, 152:2 is repealed and reenacted to read as follows:

152:2 Bonds Authorized. To provide funds for the appropriation made in section 1 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of

\$400,000 and for said purpose shall issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The bonds shall be 10-year bonds. The interest and principal due on the bonds or notes issued under this paragraph shall be a direct charge against the Skyhaven hangar revenues, but the faith and credit of the state shall be pledged for the payment of the bonds.

26 Port Authority; Dredging. Amend 1987, 399:1, VII to read as follows:

VII. Port Authority

A. Dredging pier (N.W. end)	\$66,000
B. Dredging of Portsmouth Harbor and the Piscataqua River	18,700,000
Less federal	-14,000,000
Net appropriation paragraph B	4,700,000
Total state appropriation paragraph VII	\$ 4,766,000

(The appropriation for the water improvement project in paragraph VII, B shall be used to widen the maneuvering area between the 2 vertical lift bridges from 600 feet to a maximum of 1000 feet[;] **and** widen by 100 feet the northern limit of the channel adjacent to Badgers Island[; and widen the southern limit of the channel at the eastern end of Goat Island southeast of Henderson Point from 400 to 550 feet]. Section 21 of this act contains additional costs associated with this project.

27 Lapse Dates Extended.

I. The appropriation made to the department of corrections in 1988, 224:1, I, A for phase V prison construction, is hereby extended to June 30, 1991. The following supplemental program is authorized from the balance remaining in said appropriation: Grasmere Women's facility - security renovations, interior renovations including necessary furnishing and equipment - \$500,000.

II. The following appropriations are hereby extended to June 30, 1990:

(a) The appropriation made to the veterans home in 1987, 399:1, XII, A, for the 50-bed nursing home.

(b) The appropriation made to the department of health and human services in 1987, 399:1, V, A, for TCF - equipment and furnishings for the New Hampshire hospital.

(c) The appropriation made to the department of health and human services in 1985, 409:23 as amended by 1987, 399:22, for the community care facility.

(d) The appropriations made to the secretary of state in 1987, 399:1, X, A, for addition to records and archives building; and 1987, 399:1, X, B, to insulate and replace roof covering, archives building.

(e) The appropriations made to the judicial branch in 1987, 399:1, VI (A)(2) for handicapped access of the Carroll county superior court building and in 1987, 399:1, VI, B for the construction of the Hillsborough county courthouse.

(f) The appropriations made to the port authority in 1987, 399:1, VII, A for dredging pier, and in 1987, 399:1, VII, B, for dredging of Portsmouth Harbor.

(g) The appropriation made to the department of health and human services in 1987, 399:1, V, B for design, renovations-spaulding cottage-YDC.

(h) The appropriation made to the department of corrections in 1987, 399:1, III, B, for Phase IV-B prison construction.

(i) The appropriations made to the department of health and human services in 1987, 399:1, V, C (3)(4) and (5) relative to boiler replacement, window replacement, and the laundry sprinkler system at the Glencliff home for the elderly.

(j) The appropriations made to the aeronautics commission in 1981, 565:1, II as amended by 1983, 423:17 for the Skyhaven airport and the Skyhaven audit fund.

(k) The appropriation made to the aeronautics commission in 1969, 505:1, III(f) and 1972, 62:5 as amended by 1985, 400:5, III(a) and 1987, 399:45, I for Manchester airport-land acquisition and obstruction removal.

(l) The appropriation made to the aeronautics commission in 1978 49:1, III, A(1) as amended by 1981, 565:14, III and V(c), 1983, 423:19, and 1986, 211:16 for runway construction and obstruction removal at the Keene, Dillant-Hopkins airport.

(m) The appropriation made to the department of fish and game in 1987, 399:19, for the new headquarters facility, regional offices, and computer system.

(n) The appropriation made to the aeronautics commission in 1979, 435:1, III, E as amended by 1983, 423:16 and 1986, 211:14, for the Skyhaven airport.

(o) The appropriations made to the department of resources and economic development in 1987, 399:1, IX G and I, for Moose Brook-sewage and the Hampton bath house.

(p) The appropriations made to the department of transportation in 1987, 398:1, I-V for design and construction documents for certain buildings at New Hampshire hospital and the Medical Examiner Lab Facility.

(q) The appropriation made to the police standards and training council in 1987, 399:4, for design and construction - academic wing addition.

28 Transfer of Funds. The sum of \$185,000 from the Nashua-Bennington railroad rebuilding appropriation, account no. 030-096-

9940-093, established by 1985, 350:4, IV, is hereby transferred to the Northfield-Tilton railroad bridge appropriation, account no. 030-096-9944-090, established by 1985, 415:7, increasing the total amount appropriated to such account to \$585,000.

29 Transfer of Funds. The sum of \$250,000 from the Nashua-Bennington railroad rebuilding appro. acct. no. 030-096-9940-093, established by 1985, 350:4, IV, may be used for the development of Rochester industrial railroad sidings.

30 Effective Date.

I. Sections 23-25 and 27 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 1989.

*Conferees on the Part
of the Senate*

*Conferees on the Part
of the House*

Sen. Torr, Dist. 21

Rep. Phelps, Merr. 1

Sen. Charbonneau, Dist. 14

Rep. Burns, Coos 5

Sen. Nelson, Dist. 13

Rep. Marsh, Coos 1

Rep. Oleson, Coos 7

Senator Torr moved to adopt the Committee of Conference report.

Adopted.

HOUSE MESSAGE

The House of Representatives has voted to override the Governor's veto of HB 330 relative to exemption from the gasoline tax and state license plates. (See House Journal for Governor's Veto Message.)

SENATOR MC LANE: How are we going to get Governor Gregg to understand that there are some successful governmental programs that help poor people? One of those is the Community Action Program, the Head Start Program, rural transportation, elderly transportation, weatherization, meals-on-wheels, surplus food distribution and fuel assistance. These programs have functioned in the State of New Hampshire to the benefit of many, many people. By vetoing this measure, the Governor has literally taken \$35,000 from these programs and from these people for a successful program that has been shown to work. The Governor makes two points. One that other community agencies will try for this exemption. For twenty years, none of them have either tried nor received it. And this exemption is something that has gone only to CAP agencies. His second point, is that it should not be part of the highway fund. But it occurs to me that revenue that has not gone into the highway fund,

is certainly not revenue that would fall under the strictures of the highway fund. I feel strongly that this money, \$35,000, has not been money that the highway fund has had up to this point. They are not going to miss that money. And that a great many elderly, young people on Head Start, and senior citizens will not be able to receive the rides, and the food, and the heat that these programs provide.

SENATOR NELSON: I would like to reiterate two points to you. One is that this exemption has been in place for twenty years. So I bring to your attention that this is nothing new. Twenty years this has been in existence and evidently none of us has had the opportunity to see it. This is not legislation but they have received this permanent plates and gas tax for over twenty years and Joanne O'Rourke who is the prime sponsor and worked very hard on this also tell me that it passed both the House Ways and Means Committee and the Senate Ways and Means Committee. It has been looked at by both these bodies in detail giving due credit to our Ways and Means Committee on both sides of the wall and it was supported on both floors.

SENATOR JOHNSON: Senator Blaisdell, if this veto were sustained would there be any way of making up the lose in revenue that will apparently flow from having this bill vetoed?

SENATOR BLAISDELL: I don't know, Senator. What revenue are you talking about?

SENATOR JOHNSON: Apparently, they were counting on the equivalent of \$35,000 a year that they wouldn't have to pay. So now, my assumption is that it would appear that they would now have to come up with \$35,000 a year to make up for something that they were expecting but which they will now be deprived of as a result of the veto of HB 330. So my question is, if they are indeed deprived of this money, is there any way that we could help them make it up?

SENATOR BLAISDELL: I don't think so, Senator. Not right now. That is the only answer that I can give you.

SENATOR DUPONT: Senator Nelson, you indicated when you got up to speak that this exemption was taken away from them and it is my understanding that the exemption never was in law in the first place and it was being taken and should not have been taken over the past twenty years?

SENATOR NELSON: Yes, I was remiss and I appreciate the good Senator from the other side of the state in Rochester for bringing that to my attention. It was part of the rules rather and I thank you

for giving me the opportunity to clarify that and also tell you, sir, that it has been in effect since Governor King was the governor of the State.

SENATOR PODLES: Senator Nelson, should I assume then that they can do this by rule and they don't have to have it by legislation?

SENATOR NELSON: No, I am not suggesting that. I am saying, as you know as a member of the rules committee, that in fact what happens is that the legislature writes the policy and the rules are the specifics underneath. For example, I give you bone marrow transplant. No child in the State of New Hampshire can have a bone marrow transplant because the rules say so, not because of the legislature. This is a similar kind of situation. The rules in this state carry the weight of law. So if something is in the rules in this state, they do in fact carry the weight of law.

SENATOR DUPONT: I rise in support of the Governor's veto of this piece of legislation. As a member of the Ways and Means Committee in the Senate, I did not support this piece of legislation when it came through. Specifically, because it set a standard for one non-profit agency that we weren't applying to the rest of the non-profits in the state. And we could make the same case for perhaps many of the agencies throughout the state that provide services to the citizens of the State of New Hampshire and it is in my estimation unfair to specifically single out one agency which I am a supporter of their programs and I am involved in the fuel business and obviously deal with these agencies and am very supportive of the work they do and the fine job they do administering to these programs. My concern basically is that we have established a standard for these particular agencies which we have not applied to other agencies. It is not a subsidy, it is an exemption from tax that we all recognize has been previously strained by all of our highway building projects in the state. One of the members of finance, indicated to me that we have been fair to these agencies in the budget and they should have no complaint with the process this year. And while I could look at the piece of paper that is in front of me and look at the 62 families that won't receive weatherization or 15 youngsters that would not receive a year of Head Start but I would say to the members that the \$35,000 in light of the amount of money that is spent through these agencies is an insignificant amount. And I would hope that with good management, the effects of not having this exemption or the use of these plates be easily taken care of by the agencies just through some rearranging of their priorities. So I would urge the members to sustain the governor's veto on this bill.

SENATOR MC LANE: Senator Dupont, isn't it true that the CAP agencies are different from any other social service agency in that they are really agencies of the State. The federal subsidy that pays for CAP comes to the State and it is part of the state budget and that that is very different from any other do-good agency?

SENATOR DUPONT: Senator, they are not state agencies.

SENATOR MC LANE: They are funded through block grants.

SENATOR DUPONT: That is correct and there are many other state programs such as community mental health centers that are funded through block grants that don't have plates, and a fuel tax exemption for their vehicles. Secondly, you are right, they are directly funded through the State but they are non-profit corporations, as I understand it, recognized by the Secretary of State and the Attorney General office as non-profit and that significantly is different from being a state of New Hampshire agency.

SENATOR MC LANE: My second question has to do with the Head Start program. Is it true that this body by rejecting a committee of conference on the other bill having to do with Head Start and Head Start transportation have knocked that agency twice now in this session if this veto is sustained?

SENATOR DUPONT: Senator, that was a new piece of legislation that would have provided them with some assistance that they never had before or funded some areas that they never had before. And let me just say, that Senate Finance, recognized specifically the Head Start program by re-inserting some money that had been taken out by the House. So I again feel that they have been treated fairly by this body and am somewhat concerned that you somehow think that we took action against the CAP agencies or Head Start in this legislative session, because we haven't.

SENATOR MC LANE: I would beg to disagree with you. If a bill that has passed this body once, passed the House once and has come back over here and lost in committee of conference and a bill that has passed the Ways and Means committee twice in the House and in the Senate and this body and the other. If I were somebody that were elderly or a recipient of Head Start, I think I would point right at the Senate and say that they had mistreated them.

SENATOR DUPONT: Senator, I don't think that the Senate hides behind any of its actions and does not take the responsibilities for its actions and I assume that all the members of the body are comfort-

able with the actions that they have taken this session. But I would also remind you that the bill we sent over to the House did not come back in the same version that it left this body. And that was the reason for the committee of conference request. That is the right of this body to non concur with what the House has done and that is the appropriate way that the process works..

SENATOR PRESTON: I think it is interesting that we just passed the entire budget without a whimper or a question. That indicates the good job, I think generally, that has been done with the budget and we appreciate it but on this particular piece of legislation, we are not dealing with yacht owners and home builders and impact fees defending them or general contractors or anything else. We are talking about the most sensitive and fragile members of the population of the State of New Hampshire. We are talking \$35,000, not \$3.2 million and I am glad we are debating this but my further concern is that maybe they can do it by rules and maybe they can't. By our actions today, by sustaining the governor's veto, would that indicate that this body wants to take some of that money away from the fuel assistance program, weatherization, so forth. If this is a way to oblige the governor, this isn't that serious to him and it affects a lot of people who don't have a lot of money.

SENATOR DUPONT: Senator Preston, I sat here yesterday and heard two fairly long speeches about principles and I just wanted to know if we can apply that same issue of principle to this piece of legislation and say that it is important that the State have principles and how it deals with the various agencies and apply a standard that is fair to all of them, because I also heard the word fairness mentioned yesterday?

SENATOR PRESTON: I can 't apologize for Senator Torr for introducing the two words fairness and principle to this body. I just hope you would at least exercise some principle of fairness.

The Question Is: Shall the bill pass notwithstanding the governor's veto.

Roll Call requested by the Chair.

The following Senators voted yes: Nelson, McLane, Stephen, St. Jean, Preston.

The following voted no: Bond, King, Heath, Freese, Hough, Dupont, Currier, Disnard, Roberge, Blaisdell, Bass, Magee, Charbonneau, Podles, Johnson, Torr, Delahunty.

Roll Call Result: 5 Yeas 17 Nays

The Governor's Veto was sustained.

Senator Podles moved to remove HB 637 relative to the conduct of tax sales for failure to pay real estate taxes from the table.

Adopted.

SENATOR PODLES: What we are doing here is, if you look at your bill and turn to the next page, we are going to eliminate section 1 which is the statement of intent. That will be eliminated in the bill and as indicated by the President it is being introduced in response to the New Hampshire Supreme Court decision.

Senator Podles offered a floor amendment.

SENATOR PODLES: After the statement of intent, which is the section 1, after 80:24-A, we will add to the extent authorized by the opinion of the Justices May 24, 1989 number 89-200. That is what we are adding to section 1 of HB 637.

Floor Amendment to HB 637

Amend the bill by replacing section 1 with the following:

1 Statement of Intent. The general court recognizes that a question of statutory interpretation has arisen concerning the interest which may be sold in property which is subject to a tax sale. The purpose of this act is to clarify the application of current RSA 80:24 and 80:24-a by combining them into one section and by explicitly stating that when a tax sale takes place, it shall be for the percentage of the common and undivided interest in the whole property that a bidder is willing to offer for the unpaid tax, interest and costs due thereon. The general court finds that such was the intent at the time of passage of the original version and was so commonly understood. Therefore, in order to protect the expectations of persons as to the legal significance of their acts taken under the prior language of these statutes, the general court affirms the validity of tax sales conducted in good faith in accordance with this interpretation of former RSA 80:24 and 80:24-a, to the extent authorized by the Opinion of the Justices, May 24, 1989, No. 89-200.

Amendment adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Dupont moved that the rules of the Senate be so far suspended as to allow the bill to be put on Third Reading and Final Passage at the present time.

Adopted.

THIRD READING AND FINAL PASSAGE

HB 637 relative to the conduct of tax sales for failure to pay real estate taxes.

Adopted

PRESIDENT'S MESSAGE

SENATOR BARTLETT: I would just like to say a few words as we close down today and I would like to take a few moments to thank all of you for the hard work this session. And David wrote down this rather well. He said this year has not been my personal best, I missed the month of January and never really did catch up the rest of the session. But I thank you all for your concern and your consideration and assistance during this session. This year has seen a number of bills and a lot of hard work. And I think we passed a good budget. It was certainly obvious today that the budget was a good budget. It is the only time that I can remember in the time that I have been here that there weren't a lot of questions on the Senate floor. And I would like to thank Senate Finance and Capital Budget for keeping the Senate informed and I think that the hearings and the open discussion that they had during the budget process made it a lot easier here today. This budget, in my opinion, addresses the state in an appropriate manner. We kept the lid on large tax increases. In the area of social services, we have reached what many feel to be an acceptable level. Therefore, with normal, whatever normal is, that growth and case load and economy and future increases in this area should be considered with the rate of inflation. Of course, we all know that no matter how much we fund in these areas, it will not satisfy all the members of this body. We have addressed bail reform, and are confident that these changes resolve some of the problems in that area. We have dealt with the issue of jet skis in a fair manner. It is our hope now that those who own and operate these machines will do so in a reasonable manner for if they do not, they can look forward to restrictive legislation in the future. We have shown to the people of our state that we are committed to preserving the open space, which makes our state so great. With the addition of \$18 million to the land trust, the goal of \$50 million is only \$12 million short. The importance of this program became quite obvious when Nash Stream track came for sale. This was indeed a bonus and I am sure we will continue to act in this manner. Ahead of us are a number of issues. We will continue to look at growth and its benefits and its burdens. The bankruptcy of Public Service will con-

tinue to demand much of our attention as will the closing of Pease Air Force Base. I would like to thank all of the Senators for their cooperation. The staff members who worked so hard to make our job easier and through their effort we were capable of meeting our deadlines in an efficient manner. There were very few of those 10:00 sessions this time. And for that I think we deserve a lot of credit for this body. I must say that this has probably been the most non-partisan Senate that I have been a member of. And I think this resulted from a good communication between all members of leaderships of both parties and a trust that was established over the past two years and continued on in this session. We are going to adjourn today to the joint call of the chair. The Speaker and I will decide if we need to come back. I really want you all to know that you should walk out of this chamber with your heads held high. That you have served your constituency in the State of New Hampshire well and we all should be proud. Again, I thank you all for your hard work. And have an enjoyable and deserving summer and remember January, 1990 will be here very soon.

SENATOR DUPONT: I believe the body the appreciates your comments and I would just like to extend my personal thanks and the thanks of the majority party in the Senate for your hard work on behalf of all the members of the Senate.

SENATOR PRESTON: On behalf of all members of the Senate, I want to thank and commend you for your fairness which was stated the day you were nominated for this post. Though you and the majority leader have made some mistakes which I hope you'll repent perhaps in January of 1990, I would like to commend you for being a brilliant tactician and getting some of the legislation through and working with a lot of members of the minority party and helping them with some of their problems. I sincerely thank you.

HOUSE MESSAGES

HOUSE ADOPTS COMMITTEE OF CONFERENCE REPORTS

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bills:

HB 100-A, making appropriations for capital improvements.

HB 200-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990 and June 30, 1991.

HOUSE SUSTAINS VETO

The House of Representatives has voted to sustain the Governor's veto on the following Bills:

HB 664, transferring enforcement authority over the equal pay act from the labor commission to the commission of human rights.

HOUSE CONCURS WITH SENATE AMENDMENT

The House of Representatives concurs with the Senate in its amendment to the following entitled Bill sent down from the Senate:

HB 637, relative to the conduct of tax sales for failure to pay real estate taxes.

ENROLLED BILLS REPORT

HB 45, to increase the age limit to the motor vehicle child restraint requirement.

HB 59, changing the name of the New Hampshire vocational-technical college system.

HB 96, increasing the personal needs allowance.

HB 103, relative to motor vehicle laws.

HB 177, authorizing local authorities to reduce the speed limit in business and urban residence districts.

HB 251, establishing a committee to study methods of promoting New Hampshire businesses and products overseas and making an appropriation therefor.

HB 345, relative to interference with hunters, trappers and fishermen.

HB 394, establishing a state emergency response funding committee and relative to hazardous materials incident response.

HB 410, relative to nursing scholarships.

HB 433, relative to a pool for environmental liability insurance and making an appropriation therefor.

HB 475, permitting a candidate to designate the form in which his name shall be printed on the ballot and relative to the form of state general election ballots.

HB 486, relative to clearing land and cutting timber.

HB 487, relative to grandparents' rights.

HB 528, relative to learners' permits.

HB 587, relative to special number plates for persons with walking disabilities.

HB 595, to permit teachers who relocate to New Hampshire to purchase their out-of-state service as creditable service in the New Hampshire retirement system.

HB 605, relative to a recycling logo.

SB 9, to clarify how to designate highways to summer cottages.

SB 50, relative to measuring liquid hazardous waste.

SB 109, establishing a pilot reading recovery program and relative to the state board of education.

Adopted.

ENROLLED BILLS AMENDMENTS

Enrolled Bill Amendment to SB 45-FN

Amend section 4 of the bill by replacing lines 2 and 3 with the following:

section 3-b the following new section:

161-C:3-c Power to Subpoena Financial Records. Pursuant to the Senator Currier for the committee.

SENATOR CURRIER: This amendment renumbers one RSA section to avoid duplicating the numbering of that section inserted by SB 63,(1989).

Adopted.

Enrolled Bill Amendment to HB 556

Amend the bill by replacing section 8 with the following:

8 Contingency. If HB 59 of the 1989 regular session, "An act changing

the name of the New Hampshire vocational-technical college education system," becomes law, the term "vocational-technical" shall be replaced with "technical" in RSA 188-F:4, IV; 188-F:14-b; 188-F:15; and 188-F:17 as inserted or amended by this act.

9 Effective Date. This act shall take effect 60 days after its passage.

Senator Currier for the Committee.

Adopted.

Enrolled Bill Amendment to HB 88-FN

Amend section 17 of the bill by replacing lines 2-3 with the following:

agriculture serving under permanent appointment on the effective date of this section who is authorized to enforce the provisions of RSA 438 pertaining

Amend paragraph I of section 19 of the bill by replacing it with the following:

I. Section 16 of this act shall take effect January 1, 1990.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 147-FN

Amend RSA 259:12-b as inserted by section 3 of the bill by replacing line 2 with the following:

permit" shall mean a permit issued pursuant to RSA 263:88.

Amend RSA 263:98, VII as inserted by section 17 of the bill by replacing line 2 with the following:

provided in RSA 259:98-a.

Amend RSA 21-P:14, IV(m) as inserted by section 18 of the bill by replacing line 2 with the following:

RSA 263:98.

Amend the bill by replacing section 28 with the following:

28 Driver's License Fees. Amend RSA 263:42, I to read as follows:

I. For each original driver's license and examination or driver's license renewal, other than for a commercial vehicle - [~~\$20~~] **\$30**; for each original commercial driver license and examination or commercial driver license renewal - \$40; for each commercial driver license reexamination in a one year period - \$20; for each commercial vehicle endorsement, renewal of an endorsement or removal of a restriction - \$10. For each original driver's license issued, \$5 shall be credited to the driver training fund established by RSA 263:52. Every license shall expire on the licensee's birthdate in the fourth year following the issuance of such license. No fee collected under this paragraph shall be refunded once an examination has been taken or a license issued, except as provided in RSA 263:43.

29 Contingency; SB 14. If SB 14, "An act relative to alcohol concentration tests for driving while intoxicated and other offenses becomes law," section 1 of SB 14 which inserts RSA 259:3-a shall not take effect and the references to RSA 259:3-a in RSA 214:20, I; 215-A:11, IV; 270:49, I; and 631:5, IV as amended by SB 14 shall be renumbered to RSA 259:3-b.

30 Contingency; HB 103-FN. If HB 103-FN, "An act relative to motor vehicle laws," becomes law, section 28 of this act shall take effect July 1, 1989, at 12:01 a.m. and section 22 of this act shall not

take effect. If HB 103-FN does not become law, section 28 of this act shall not take effect, and section 22 of this act shall take effect July 1, 1989.

31 Effective Date.

I. Sections 27, 29, and 30 of this act shall take effect upon its passage.

II. Sections 22 and 28 of this act shall take effect as provided in section 30 of this act.

III. The remainder of this act shall take effect July 1, 1989.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 546-FN

Amend RSA 21-O:3, IX as inserted by section 4 of the bill by replacing line 4 with the following:

support of local water plans as provided in RSA 4-C:22.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 465

Amend RSA 21-O:9, V as inserted by section 4 of the bill by replacing line 1 with the following:

V. The [solid] waste management council shall hear and decide all

Amend RSA 21-O:9, VI as inserted by section 4 of the bill by replacing line 3 with the following:

[solid] waste management council for consideration prior to filing a proposed

Amend the bill by replacing section 14 with the following:

14 Contingent Provision. If both or either SB 156, "An act relative to refuse disposal," or HB 722-FN, "An act regarding solid waste management districts," of the 1989 legislative session becomes law, RSA 149-M:22 as inserted by section 10 of this act shall be renumbered to read as RSA 149-M:23.

15 Effective Date. This act shall take effect 60 days after its passage.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 586-FN

Amend the introductory paragraph of RSA 149-M:10, VIII as inserted by section 11 of the bill by replacing line 3 with the following:

without the prior written approval of the division of waste management. The following shall apply:

Amend RSA 149-M:11-c, VI as inserted by section 13 of the bill by replacing line 9 with the following:

paid in full within a reasonable time following the court proceedings.

Amend section 16 of the bill by replacing lines 1-3 with the following:

16 New Subparagraph; Special Fund. Amend RSA 6:12, I by inserting after subparagraph (bb) the following new subparagraph:

(cc) The money received under RSA 125-F:8-a, which shall be

Amend section 17 of the bill by replacing it with the following:

17 Public Benefit. Amend RSA 149-M:10, II to read as follows:

II. Applications for permits shall be upon such forms and shall include such information as the division of waste management requires by rules adopted under RSA 149-M:8. The application information shall include, but not be limited to, a performance history of the applicant and of its officers and directors relative to the operation, financial security, and ownership of all facilities owned or operated by the applicant. Whenever requested by the division of waste management, the attorney general shall conduct a background investigation of the performance history and criminal record of the applicant and of its officers and directors, if any, and make a report to the division of waste management. The applicant shall also demonstrate that the proposed facility provides a substantial public benefit pursuant to RSA 149-M:10, II-a. **The cost of any investigation under this paragraph shall be borne by the applicant.**

18 Contingency; HB 722-FN. If HB 722-FN of the 1989 regular session of the general court, "An Act regarding solid waste management districts", becomes law, section 17 of this act shall take effect 60 days after its passage, and section 9 of this act shall not take effect. If HB 722-FN does not become law, section 9 of this act shall take effect 60 days after its passage, and section 17 of this act shall not take effect.

19 Contingency; HB 332-FN-A. If section 17 of this act takes effect as provided in section 18 of this act and if HB 332-FN-A of the 1989

regular session of the general court, "An Act relative to the collection and reclamation of motor vehicle wastes", becomes law, then the reference in RSA 149-M:10, II as amended by section 17 of this act to RSA 149-M:10, II-a shall be renumbered to RSA 149-M:10, II-b.

20 Effective Date.

I. Sections 9 and 17 of this act shall take effect as provided in section 18 of this act.

II. Sections 18 and 19 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect 60 days after its passage.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 722-FN

Amend RSA 149-M:18, I-a as inserted by section 2 of the bill by replacing line 7 with the following:

under the provisions of this chapter or as allowed by rules adopted by the

Amend section 8 of the bill by replacing line 4 with the following:

applications for a permit under this chapter the division shall comply with

Amend the bill by replacing section 12 with the following:

12 Contingency; HB 332-FN-A and SB 156-FN.

I. If HB 332-FN-A of the 1989 regular session of the general court, "An act relative to the collection and reclamation of motor vehicle wastes," becomes law, RSA 149-M:10, II-a as inserted by section 7 of this act shall be renumbered to RSA 149-M:10, II-b, and the reference to RSA 149-M:10, II-a in RSA 149-M:10, II as amended by section 6 of this act shall be renumbered to RSA 149-M:10, II-b.

II. If both SB 156-FN, "An act relative to waste disposal," and HB 465, "An act changing the name of the solid waste management council," of the 1989 regular session of the general court become law, RSA 149-M:22 as inserted by section 9 of this act shall be renumbered to RSA 149-M:24.

III. If either, but not both, SB 156-FN or HB 465 becomes law, RSA 149-M:22 as inserted by section 9 of this act shall be renumbered to RSA 149-M:23.

13 Contingency; HB 586. If HB 586-FN of the 1989 regular session of the general court, "An act relative to siting and permitting of solid and hazardous waste disposal facilities; to forfeiture of property for

solid waste management violations; and to low-level radioactive waste management," becomes law, RSA 149-M:10-a as inserted by section 8 of this act shall be renumbered to RSA 149-M:10-b.

14 Effective Date. This act shall take effect July 1, 1989.
Senator Currier for the committee.

Adopted.

RESOLUTION

Senator Dupont resolved, that the Senate now adjourn from the early session; that the Senate be in recess for the sole purpose of Enrolled Bills Reports and when the Senate adjourns today, it adjourns to the joint call of the President of the Senate and the Speaker of the House and also that all bills still on the table and left in committee will be inexpedient to legislate.

Adopted.

KILLED BY RESOLUTION

HB 69 relative to highway vending facilities operated by the blind.

HB 738-FN relative to bail.

HB 101 relative to budgetary transfer authority of the department of health and human services.

SB 65 establishing a committee to study mental health insurance benefits.

SB 66 relative to regulation of refuse transporters

Recess.

Monday, May 29, 1989

Out of Recess.

ENROLLED BILLS REPORT

SB 10, relative to floating timber.

SB 14, relative to alcohol concentration tests for driving while intoxicated and other offenses.

SB 27, relative to the liability of landowners for hazardous waste cleanup.

SB 45, relative to child support enforcement.

SB 52, relative to drug paraphernalia.

SB 70, relative to the technical assistance provided to municipalities by the office of state planning.

SB 73, establishing a committee to study taxing all tobacco products.

SB 77, relative to holiday pay for certain part-time employees.

SB 81, relative to the management of court facilities and making an appropriation therefor.

SB 89, providing a 5% cost of living adjustment for group I retirement system members, establishing a committee of study insurance and medical benefits for retired state employees, relative to retirement benefits for widows of superior court justices and making an appropriation therefor, and relative to medical benefits for retired state employees.

SB 90, providing a cost of living adjustment for group II members.

SB 106, relative to issuing temporary driver's licenses to new residents and authorizing additional positions for the department of safety and making an appropriation therefor.

SB 108, relative to Skyhaven airport in Rochester.

SB 113, establishing a study committee to examine Medicaid coverage of dental benefits for all categorically eligible recipients.

SB 154, relative to timely distribution of sweepstakes revenues through the foundation aid formula.

SB 175, making an appropriation to the arts development program.

SB 189, relative to the study of New Hampshire commuter rail service.

SB 191, relative to telecommunications devices for the deaf and making an appropriation therefor.

SB 203, relative to employing minors enrolled in school.

HB 88, relative to weights and measures.

HB 147, relative to commercial driver licensing.

HB 300, relative to studying access to medical care for persons without health insurance and making an appropriation therefor.

HB 353, prohibiting the use and operation of ski craft on Canaan Street Lake in the town of Canaan.

HB 465, changing the name of the solid waste management council.

HB 492, relative to recreational campgrounds and camping parks.

HB 556, relative to the board of governors, the administrative board, and the commissioner of the department of postsecondary vocational-technical education.

HB 661, relative to notification to downstream municipalities concerning effluent discharges.

HB 226, relative to state-issued bonds for college tuition.

HB 546, relative to the water protection assistance program and relative to the closure of shellfish flats on the seacoast.

SB 24, relative to liquor store displays and promotions.

SB 82, establishing a study committee on judicial retirement vesting rights and retirement contributions.

SB 105, making an appropriation for improving electrical service at Weeks state park in Lancaster.

SB 164, relative to registering ophthalmic dispensers and making an appropriation therefor.

SB 177, establishing an interest-free revolving loan fund and a guaranteed loan program for child care providers.

Senator Currier for the committee.

Adopted.

ENROLLED BILLS AMENDMENTS

Enrolled Bill Amendment to SB 164-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to registering ophthalmic dispensers and making an appropriation therefor.

Amend RSA 327-A:8 as inserted by section 1 of the bill by replacing line 3 with the following:

such certificate in his principal place of business.

Amend RSA 327-A:12, I and II as inserted by section 1 of the bill by replacing them with the following:

I. Form and content of applications under RSA 327-A:3.

II. Notification of hearings as authorized under RSA 327-A:11.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 82-FN

Amend the title of the bill by replacing it with the following:

AN ACT

establishing a study committee on judicial retirement vesting rights and retirement contributions.

Senator Currier for the committee.

Adopted

Enrolled Bill Amendment to SB 168-FN

Amend RSA 21-P:25, II(b) as inserted by section 3 of the bill by replacing line 5 with the following:

departments or fire-related state agencies, whether full or part-time.

Amend RSA 21-P:28, I(f) as inserted by section 3 of the bill by replacing line 1 with the following:

(f) Disseminate information relative to fire and rescues,

Amend section 8 of the bill by replacing lines 2-3 with the following:

by inserting after paragraph III-b the following new subparagraph:

III-c. Notwithstanding the provisions of RSA 100-A:1, VIII, any

Amend the bill by replacing all after section 10 with the following:

10 Regulation of Liquid Propane Gas. Amend RSA 21-P:12, I to read as follows:

I. Investigation of the causes and circumstances of fires, fire safety regulations and education, [and] coordination of state agency response to accidents involving hazardous materials, **and regulation of liquid propane gas pipeline safety, except propane gas pipelines regulated by the public utilities commission pursuant to RSA 362.** This bureau shall be known as the bureau of fire safety and shall be under the supervision of an unclassified administrator of fire safety, who shall also be known as the state fire marshal. The state fire marshal shall be nominated by the commissioner of safety on recommendation of the director of fire service from a list of 3 candidates submitted by the state advisory board of fire control, for appointment by the governor, with the consent of the council, and shall serve a term of 4 years until a successor is appointed. The state fire marshal shall be a citizen of this state or become a citizen of this state within one year of his appointment and be academically and technically qualified. He shall devote his entire time to the duties of the bureau of fire safety and shall receive the salary specified in RSA 94:1-a.

11 Contingency; HB 82-FN. If HB 82-FN, "An act relative to the police standards and training council and the fire standards and training commission," becomes law, section 5 of HB 82-FN shall not take effect.

12 Effective Date.

I. Section 10 of this act shall take effect July 7, 1989, at 12:01 a.m.

II. Section 11 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect July 1, 1989.
Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 177-FN-A

Amend lines 3 and 4 of section 2 of the bill by replacing them with the following:

161-F the following new chapter:

CHAPTER 161-G

Amend RSA 161-F:1-4 as inserted by section 2 of the bill by renumbering said sections to read as RSA 161-G:1, 161-G:2, 161-G:3, and 161-G:4, respectively.

Amend line 10 of RSA 161-G:1 as inserted by section 2 of the bill by replacing it with the following:

RSA 161-G:4: family day care home, family group day care home, group

Amend line 7 of RSA 161-G:2 as inserted by section 2 of the bill by replacing it with the following:

161-G:3, IV. Recipients shall demonstrate to the director the disposition

Amend line 3 of section 3 of the bill by replacing it with the following:

after section 70 the following new subdivision:

Amend RSA 204-C:70-78 as inserted by section 3 of the bill by renumbering said sections to read as RSA 204-C:71-79, respectively.

Amend line 5 of RSA 204-C:74 as inserted by section 3 of the bill by replacing it with the following:

minimum criteria established in this section. When entering into

Amend line 3 of RSA 204-C:75 as inserted by section 3 of the bill by replacing it with the following:

payable solely from the funds provided pursuant to RSA 204-C:79, to the lender

Amend line 6 of RSA 204-C:75 as inserted by section 3 of the bill by replacing it with the following:

or organizations as defined in RSA 204-C:72. In no event shall any loan

Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 226-A

Amend the bill by deleting sections 1 and 4 and renumbering sections 2, 3, and 5 to read as 1-3, respectively.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to SB 39

Amend the bill by replacing all after section 1 with the following:

2 Renumbering. The director of legislative services shall renumber RSA 486:38 as inserted by section 1 of this act pursuant to the authority granted by 1989, 223:2.

3 Effective Date. This act shall take effect 60 days after its passage.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to SB 40

Amend the bill by replacing all after section 1 with the following:

2 Renumbering. The director of legislative services shall renumber RSA 486:38 as inserted by section 1 of this act pursuant to the authority granted by 1989, 223:2.

3 Effective Date. This act shall take effect 60 days after its passage.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 206

Amend the bill by replacing all after section 1 with the following:

2 Renumbering. The director of legislative services shall renumber RSA 486:38 as inserted by section 1 of this act pursuant to the authority granted by 1989, 223:2.

3 Effective Date. This act shall take effect 60 days after its passage.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 222

Amend the bill by replacing all after section 1 with the following:

2 Renumbering. The director of legislative services shall renumber RSA 486:38 as inserted by section 1 of this act pursuant to the authority granted by 1989, 223:2.

3 Effective Date. This act shall take effect 60 days after its passage.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 86

Amend the bill by replacing all after section 1 with the following:

2 Renumbering. The director of legislative services shall renumber RSA 486:38 as inserted by section 1 of this act pursuant to the authority granted by 1989, 223:2.

3 Effective Date. This act shall take effect 60 days after its passage.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 488

Amend RSA 149-M:13-a as inserted by section 1 of the bill by replacing lines 2-4 with the following:

commissioners for each county in which there are located unincorporated towns or unorganized places, the mayor and council of each city and the commissioners of each county are authorized to enter into cooperative agreements with other towns, cities, unincorporated towns, unorganized places, and

Amend the bill by inserting after section 1 the following and renumbering sections 2 and 3 to read as 3 and 4, respectively:

2 Contingency; HB 332-FN-A. If HB 332-FN-A, "An act relative to the collection and reclamation of motor vehicle wastes," becomes law, RSA 149-M:13-a as inserted by section 1 of this act shall be renumbered to RSA 149-M:13-b.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 590-FN

Amend the introductory paragraph of RSA 21-J:34 as inserted by section 1 of the bill by replacing lines 2-5 with the following:

unincorporated town, unorganized place, school district, and village district shall submit to the commissioner of revenue administration

the following reports necessary to compute and establish the tax rate for each city, town, unincorporated town, unorganized place, school district, and

Amend RSA 21-J:34, I as inserted by section 1 of the bill by replacing line 2 with the following:

unincorporated town, and unorganized place, shall certify the number of

Amend RSA 21-J:34, II as inserted by section 1 of the bill by replacing line 2 with the following:

unincorporated town, unorganized place, school district, and village
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 50

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Contingency; HB 59. If HB 59 of the 1989 regular session, "An act changing the name of the New Hampshire vocational-technical college education system," becomes law, the term "vocational-technical" in RSA 21-I:9, VIII(a) as amended by section 1 of this act shall be replaced with "technical".

Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to SB 7

Amend the bill by replacing all after section 1 with the following:

2 Renumbering. The director of legislative services shall renumber RSA 486:38 as inserted by section 1 of this act pursuant to the authority granted by 1989, 223:2.

3 Effective Date. This act shall take effect 60 days after its passage.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to SB 98

Amend section 1 of the bill by replacing lines 1 and 2 with the following:

1 New Subdivision; Land Affected by Municipal Boundaries.
Amend RSA 674 by inserting after section 52 the following new subdivision:

Land Affected by Municipal Boundaries

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 111

BODY OF WATER

TOWN

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 196-FN

Amend the unnumbered concluding paragraph of RSA 597:2, III as inserted by section 3 of the bill by replacing line 3 with the following:

the motion of the state, conduct an inquiry into the source of the

Amend RSA 597:2, IV as inserted by section 3 of the bill by replacing lines 2 and 3 with the following:

section, the court or justice shall include a written statement that sets forth:

(a) All of the conditions to which the release is

Amend RSA 597:2, V as inserted by section 3 of the bill by replacing line 1 with the following:

V. A person charged with an offense who is, and was at the time

Amend RSA 597:2, V(b) as inserted by section 3 of the bill by replacing line 1 with the following:

(b) Release pending imposition or execution of sentence, appeal

Amend RSA 597:7-a, I as inserted by section 7 of the bill by replacing line 5 with the following:

justice for a bail revocation hearing within 48 hours, Saturdays, Sundays and holidays

Amend RSA 262:27, III as inserted by section 10 of the bill by replacing line 2 with the following:

such a traffic citation, the court having jurisdiction may issue a

Amend section 11 of the bill by replacing line 2 with the following:

defendant pending trial, is repealed.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 168-FN

Amend RSA 21-P:25, II(b) as inserted by section 3 of the bill by replacing line 5 with the following:

departments or fire-related state agencies, whether full or part-time.

Amend RSA 21-P:28, I(f) as inserted by section 3 of the bill by replacing line 1 with the following:

(f) Disseminate information relative to fire and rescues,

Amend section 8 of the bill by replacing lines 2-3 with the following:

by inserting after paragraph III-b the following new subparagraph:

III-c. Notwithstanding the provisions of RSA 100-A:1, VIII, any

Amend the bill by replacing all after section 10 with the following:

11 Regulation of Liquid Propane Gas. Amend RSA 21-P:12, I to read as follows:

I. Investigation of the causes and circumstances of fires, fire safety regulations and education, [and] coordination of state agency response to accidents involving hazardous materials, **and regulation of liquid propane gas pipeline safety, except propane gas pipelines regulated by the public utilities commission pursuant to RSA 362.** This bureau shall be known as the bureau of fire safety and shall be under the supervision of an unclassified administrator of fire safety, who shall also be known as the state fire marshal. The state fire marshal shall be nominated by the commissioner of safety on recommendation of the director of fire service from a list of 3 candidates submitted by the state advisory board of fire control, for appointment by the governor, with the consent of the council, and shall serve a term of 4 years until a successor is appointed. The state fire marshal shall be a citizen of this state or become a citizen of this state within one year of his appointment and be academically and

technically qualified. He shall devote his entire time to the duties of the bureau of fire safety and shall receive the salary specified in RSA 94:1-a.

12 Contingency; HB 82-FN. If HB 82-FN, "An act relative to the police standards and training council and the fire standards and training commission," becomes law, section 5 of HB 82-FN shall not take effect.

13 Effective Date.

I. Section 11 of this act shall take effect July 7, 1989, at 12:01 a.m.

II. Section 12 of this act shall take effect upon its passage.

III. The remainder of this act shall take effect July 1, 1989.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 104-FN

Amend RSA 375-A:1, VI(a) as inserted by section 22 of the bill by replacing it with the following:

(a) By assigning motor vehicles for a continuing period of time for the exclusive use of each such person; or

Amend the bill by replacing section 27 with the following:

27 Contingency; SB 106-FN and HB 147-FN. If both SB 106-FN and HB 147-FN of the 1989 regular session of the general court become law, RSA 21-P:14, IV(m) as inserted by section 2 of SB 106-FN shall be renumbered to RSA 21-P:14, IV(n).

Amend the bill by renumbering the sections after section 27 to read as 28-30, respectively.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 200-A

Amend section 1 of the bill by inserting footnote G in the following PAU class lines: 05, 01, 01, 02, 04, class 48; and 05, 01, 05, 03, 06, class 48.

Amend section 1 of the bill by inserting footnote D in the following PAU class lines:

05, 01, 01, 02, 03, class 42

05, 01, 01, 02, 07, class 21

05, 01, 02, 03, 04, class 28

05, 01, 03, 05, 10, class 49

05, 01, 03, 05, 19, class 21
05, 01, 04, 02, 01, class 49
05, 01, 04, 02, 02, class 49
05, 01, 04, 02, 03, class 49
05, 01, 05, 03, 02, class 49
05, 01, 05, 03, 06, class 21
class 23
05, 01, 05, 04, 02, class 21
05, 01, 05, 04, 03, class 49
05, 01, 05, 04, 06, class 21
05, 01, 07, 02, 01, class 28
05, 01, 07, 03, 01, class 49
05, 01, 07, 06, 01, class 49
05, 01, 07, 09, class 49

Amend PAU 06, 01, 01 as inserted by section 1 of the bill by replacing class line number 28 with class line number 26.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 260-FN

Amend the bill by inserting after section 3 the following:

4 Effective Date. This act shall take effect upon its passage.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 371-FN-A

Amend RSA 326-E:4, II as inserted by section 2 of the bill by replacing line 1 with the following:

II. The applicant, except as otherwise provided in this chapter, shall

Amend RSA 326-E:11, I(a) as inserted by section 2 of the bill by replacing lines 4 and 5 with the following:

Education and the American Medical Association's Committee on Allied Health Education and Accreditation or their successors. Students enrolled in respiratory therapy

Amend section 4 of the bill by replacing line 1 with the following:

4 Current Respiratory Care Practitioners. Notwithstanding RSA 326-E:6,

Amend section 4 of the bill by replacing line 6 with the following:

functioning in the capacity of a respiratory care practitioner.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 144-FN

Amend the bill by replacing section 5 with the following:

5 Rulemaking for Laboratory Certification. Amend RSA 265:85, V(d) and (e) to read as follows:

(d) Forms relative to taking samples for alcohol concentration tests for admission as evidence pursuant to RSA 265:90, IV; [and]

(e) **Procedures for certification of any laboratory that conducts tests pursuant to RSA 265:86, 270:53, or 215-A:11-e; and**

(f) Such other matters as are required to carry out the provisions of this chapter relative to alcohol concentration tests.

6 Contingency; SB 14. If SB 14, "An act relative to alcohol concentration tests for driving while intoxicated and other offenses," becomes law, section 5 of this act shall take effect January 1, 1990, and section 2 of this act shall not take effect. If SB 14 does not become law, section 2 of this act shall take effect January 1, 1990, and section 5 of this act shall not take effect.

7 Effective Date.

I. Sections 2 and 5 of this act shall take effect as provided in section 6 of this act.

II. The remainder of this act shall take effect January 1, 1990.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 613-FN

Amend line 2 in section 3 of the bill by replacing it with the following:

43 the following new subdivision heading:

Amend section 7 of the bill by replacing it with the following:

7 Contingency Provision. If SB 88-FN, "An act providing a cost of living adjustment for certain group I members, and relative to the method for granting supplemental allowances to New Hampshire retirement system members," of the 1989 session of the general court becomes law, sections 1-6 of SB 88-FN shall be null and void and of no effect.

8 Contingency; SB 89-FN and SB 90-FN. If either or both SB 89-FN, "An act providing a 5 percent cost of living adjustment for group I retirement system members, establishing a committee to study insurance and medical benefits for retired state employees, relative to retirement benefits for widows of superior court justices and making an appropriation therefor, and relative to medical benefits for retired state employees," or SB 90-FN, "An act providing a cost of living adjustment for group II members," becomes law, the references to RSA 100-A:42-a in section 1 of SB 89-FN and in section 1 of SB 90-FN shall be changed to RSA 100-A:41-a

9 Effective Date. This act shall take effect July 1, 1989.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 88-FN

Amend line 2 of section 3 of the bill by replacing it with the following:

43 the following new subdivision heading:

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 693-FN

Amend the bill by replacing section 6 with the following:

6 Contingency; HB 586-FN, HB 270-FN-A. If HB 586-FN and HB 270-FN-A of the 1989 regular session of the general court become law, RSA 6:12, I(bb) as inserted by section 1 of this act shall be renumbered to RSA 6:12, I(ee). If either HB 586-FN or HB 270-FN-A, but not both, become law, said RSA 6:12, I(bb) shall be renumbered to RSA 6:12, I(dd). If neither HB 586-FN nor HB 270-FN-A becomes law, said RSA 6:12, I(bb) shall be renumbered to RSA 6:12, I(cc).

7 Effective Date. This act shall take effect upon its passage.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to HB 764-FN-A

Amend the bill by replacing section 12 with the following:

12 Filing Fee Changed. Amend RSA 81:5 to read as follows:

81:5 Abatement of Taxes. The commissioners of the county in which the real estate is situated, for good cause shown, may abate any tax assessed by them in the unincorporated towns or unorganized places. All applications for abatement shall be in writing. If they

neglect or refuse to abate, any person aggrieved, having applied with the requirements of RSA 74, may, within 6 months after notice of such tax and not afterwards, apply either by written application to the board of tax and land appeals, or by petition to the superior court in the county, accompanied by a \$40 filing fee [equal to the filing fee established by the law for the bills in equity in the superior court], and said board or court, as the case may be, shall make such order thereon as justice requires.

Amend the bill by replacing section 110 with the following:

110 Contingency; HB 273-FN. If HB 273-FN "An act authorizing the transfer of sick and annual leave and longevity credit for certain state employees, relative to certain salaries and relative to the department of administrative services," becomes law, RSA 14:30-a, IV as inserted by section 2 of this act shall be renumbered as RSA 14:30-a, V.

111 Contingency; SB 19. If SB 19, "An act establishing a joint legislative oversight committee on highway and bridge construction and reconstruction plans," becomes law, RSA 17-O as inserted by section 3 of this act shall be renumbered as RSA 17-P.

112 Altering Seating Capacity Requirements. Amend RSA 178:3-c to read as follows:

178:3-c Restaurant Cocktail Lounges. The commission may issue a special license to any first-class restaurant holding a license issued under RSA 178:3-a to serve liquor and beverages in any room of said restaurant designated by the commission. The commission may extend such special license to include the serving of liquor and beverages on a patio area of the restaurant. Liquor and beverages served in such room or on such patio need not be consumed with meals. The actual seating capacity of a restaurant cocktail lounge shall not exceed the actual seating capacity of the function rooms and public dining rooms. The commission may also extend such special license to include the use of a dining area in the restaurant, after such area has been closed for serving meals, but not before 9 o'clock p.m., as an overflow area for the cocktail lounge when the lounge is filled to capacity. In the overflow area, liquor and beverages need not be served with meals as required under RSA 178:3-a. Licenses shall be granted only to such restaurants as the commission, at its discretion, shall approve and then only to such restaurants as can show the commission on forms and under rules adopted by the commission that at least 50 percent of the combined restaurant and lounge sales shall fall within the category of food. Restaurants with annual food sales of at least \$100,000 shall be exempted from the 50 percent requirement, and the commission may prorate by rules the annual

food sale requirements for bona fide seasonal restaurants on this basis. The commission may grant, regulate, suspend or revoke said special license without affecting any other license and permit which shall be granted to said restaurant. The fee for such special license shall be [\$262.50] **\$400** per year.

113 On-site Caterers. Amend RSA 178:5-g to read as follows:

178:5-g Caterers. The commission may issue a special license to any caterer with on-site permanent kitchen facilities and permanent dining facilities capable of seating 200 persons or more. Such special license shall permit the licensee to serve liquor and beverages with or without meals to members of a private party in any room of said on-site catering facility designated by the commission. Such special license may permit the licensee to serve liquor and beverages on the premises of other licensed establishments or on the premises of any public building approved by the commissioner. Licenses shall be granted only to such caterers as the commission, at its discretion, shall approve and then only to such caterers as can show the commission on forms and under rules adopted by the commission that at least 50 percent of their combined food and liquor and beverage sales shall fall within the category of food. Said caterers shall notify the commission not less than 5 days in advance of a function specifying date and time when a function is scheduled. The commission may grant, regulate, suspend or revoke said special license without affecting any other license and permit which shall be granted to said licensee. The fee for such special license shall be [\$787.50] **\$1,200** per year.

114 Off-site Caterers. Amend RSA 178:5-i to read as follows:

178:5-i Off-site Caterers. The commission may issue a special license to any person holding a license issued under the provisions of RSA 178:3-a, 178:4, or 178:5-f to conduct an off-site catering business on premises designated in the license application, provided that the premises meet the requirements of the commission. A special license issued under the provisions of this section shall permit the licensee to serve liquor and beverages with or without meals to members of a private party contracting for such service. The fee for such special license shall be [\$500] **\$840** per year.

115 Contingency; SB 94-FN. If SB 94-FN, "An act authorizing the sale of liquor and beverages in additional areas under a liquor license," becomes law, sections 112-114 of this act shall take effect 60 days after its passage and sections 32, 39, and 41 of this act shall not take effect. If SB 94-FN does not become law, sections 32, 39, and 41 of this act shall take effect 60 days after its passage and sections 112-114 of this act shall not take effect.

116 Performing Arts Facility; Fee Increased. RSA 178:7-b is repealed and reenacted to read as follows:

178:7-b Performing Arts Facility. The commission may issue a special license to any nonprofit performing arts facility which seats more than 50 persons. The commission shall determine by rule whether a facility is a nonprofit performing arts facility. The special license shall permit the licensee to sell liquor and beverages to patrons in any rooms designated by the commission. The commission may extend such special license to include the selling of liquor and beverages on a patio area of said facility. The facility may serve liquor and beverages one hour before curtain time, 1/2 hour after the final curtain and during intermission of the performance. The fee for the special license shall be \$338.

117 Contingency; HB 29. If HB 29, "An act relative to liquor laws," becomes law, section 116 of this act shall take effect 60 days after its passage, section 46 of this act shall not take effect, and section 1 of HB 29 shall not take effect. If HB 29 does not become law, section 46 of this act shall take effect 60 days after its passage and section 116 of this act shall not take effect.

118 Wine Representative's License; Fee Increased. Amend RSA 178-A:9, VI to read as follows:

VI. Representative's license - [\$37.50] **\$56.**

119 Contingency; SB 24. If SB 24, "An act relative to liquor store displays and promotions," becomes law, section 118 of this act shall take effect at 12:01 a.m. of the day 60 days after its passage, RSA 178-A:9, VI as inserted by section 50 of this act shall not take effect, and the remainder of section 50 of this act shall take effect 60 days after its passage. If SB 24 does not become law, section 118 of this act shall not take effect and section 50 of this act shall take effect 60 days after its passage.

120 Permit Required. Amend RSA 483-A:1, I to read as follows:

I. No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without [written notice of his intention to construct, excavate, remove, fill or dredge to] **a permit from the wetlands board.** The [notice] **permit application** shall be sent to the wetlands board and shall be accompanied by a filing fee. The [filing] **permit application** fee shall be \$25 for minimum impact projects, \$100 for minor projects, and \$300 for major projects. At the time of filing with the wetlands board, said person shall also file 3 copies of the [notice] **permit application**, with a detailed plan, including a map showing the exact location of the proposed project with the town or city clerk. The town or city clerk shall immediately send a copy of the [notice] **permit application** to the selectmen, mayor or city manager, the municipal planning board, if any, and the municipal conservation commission, if any, and may require an administra-

tive fee not to exceed \$2. The copies of the [notice] **permit application** shall be made reasonably accessible to the public.

121 Provision of HB 80-FN Nullified. 1989, 225:3 (section 3 of HB 80-FN) shall be null and void and of no effect.

122 Contingency; HB 586-FN, HB 270 FN-A, and HB 693-FN.

I. If HB 586-FN, HB 270 FN-A, and HB 693-FN becomes law, RSA 6:12, I(bb) as inserted by section 80 of this act shall be renumbered to RSA 6:12, I(ff). If only 2 of said bills become law, said RSA 6:12, I(bb) shall be renumbered to RSA 6:12, I(ee). If only one of said bills becomes law, said RSA 6:12, I(bb) shall be renumbered to RSA 6:12, I(dd). If none of said bills becomes law, said RSA 6:12, I(bb) shall be renumbered to RSA 6:12, I(cc).

II. RSA 6:12, I(bb) as referred to in paragraph II of section 82 of this act shall be redesignated in accordance with paragraph I of this section.

123 Contingency; HB 578-FN. If HB 578-FN, "An act relative to victim's assistance and compensation," becomes law, paragraph III of section 82 of this act shall not take effect.

124 Effective Date.

I. Sections 59, 79-81, 85, 93-102, 104, and 107-108 of this act shall take effect July 1, 1989.

II. Sections 58, 87-91, 99, 105, 106, 109, 115, 117, 119, and 121 of this act shall take effect upon its passage.

III. Sections 82-84 of this act shall take effect July 1, 1994.

IV. Section 75 of this act shall take effect 30 days after its passage.

V. Section 120 of this act shall take effect July 23, 1989.

VI. Sections 32, 39, 41, and 112-114 of this act shall take effect as provided in section 115 of this act.

VII. Sections 46 and 116 of this act shall take effect as provided in section 117 of this act.

VIII. Sections 50 and 118 of this act shall take effect as provided in section 119 of this act.

IX. The remainder of this act shall take effect 60 days after its passage.

Senator Currier for the committee.

Adopted.

Enrolled Bill Amendment to SB 97-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to the distribution of drug forfeiture money and appropriating funds to be transferred from the office of alcohol and drug abuse prevention to the department of corrections for a comprehensive drug and alcohol abuse treatment program.

Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 29

Amend the bill by replacing section 6 with the following:

6 Performing Arts. Amend RSA 178:7-b to read as follows:

178:7-b Performing Arts Facility. The commission may issue a special license to any nonprofit performing arts facility which seats more than 50 persons. The commission shall determine by rule whether a facility is a nonprofit performing arts facility. The special license shall permit the licensee to sell liquor and beverages to patrons in any rooms designated by the commission. The commission may extend such special license to include the selling of liquor and beverages on a patio area of said facility [which is not within direct view of any public way]. The facility may serve liquor and beverages [1/2] **one** hour before curtain time, 1/2 hour after the final curtain and during intermission of the performance. The fee for the special license shall be [\$225] 338.

7 Contingency. If HB 764-FN-A, "An act relative to state revenues and appropriations" becomes law, section 6 of this act shall take effect 60 days after its passage and section 1 of this act shall not take effect. If HB 764-FN-A does not become law, section 1 of this act shall take effect 60 days after its passage and section 6 of this act shall not take effect.

8 Effective Date.

I. Sections 1 and 6 of this act shall take effect as provided in section 7 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 273-FN

Amend section 3 of the bill by replacing lines 2 and 3 with the following:

after section 4-b the following new section:

94:4-c Unclassified to Classified State Service. Any unclassified Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 518-FN

Amend RSA 604-A:9, I-b as inserted by section 8 of the bill by replacing line 4 with the following:

the state, or if the court finds that the defendant is financially unable

Amend the bill by deleting section 11 and renumbering sections 12-16 to read as 11-15, respectively.

Amend the bill by replacing section 15 with the following:

15 Contingency. If HB 140-FN, "An act relative to delinquent children and children in need of services" becomes law, section 11 of HB 140 shall not take effect.

16 Effective Date. This act shall take effect July 1, 1989.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 578-FN

Amend the title of the bill by replacing it with the following:

AN ACT

relative to victims' assistance and making
an appropriation therefor.

Amend RSA 21-M:8-i, II(b) as inserted by section 2 of the bill by replacing lines 3 and 4 with the following:

provides services to victims of crime, and demonstrates:

(1) a record of providing effective services to

Amend section 3 of the bill by replacing all after line 4 with the following:

04 Department of justice
02 Division of public protection
07 Victims' A & C

	FY 1990	FY 1991
10 Personal services - permanent	20,611	21,470
14 Investigator	24,050	26,110
20 Current expenses	6,036	3,205

60 Benefits	10,273	11,419
70 In-state travel	1,500	1,500
80 Out-of-state travel	3,250	3,250
90 Victim compensation	75,000	75,000
97 Victim assistance	354,280	353,046
Total	495,000	495,000
Estimated source of funds for Victims' A & C		
General funds	75,000	75,000
09 Agency income	420,000	420,000
Total	495,000	495,000

The governor is authorized to draw his warrant for \$75,000 for fiscal year 1990 and \$75,000 for fiscal year 1991 out of any money in the treasury not otherwise appropriated.

Amend the bill by replacing section 7 with the following:

7 Contingency; Renumbering. If HB 270-FN-A, HB 693-FN, and HB 764-FN-A of the 1989 regular session of the general court becomes law, RSA 6:12, I(aa) as inserted by section 1 of this act shall be renumbered to RSA 6:12, I(gg). If any of the above bills do not become law, or if any other act of the 1989 regular session of the general court which inserts an additional subparagraph in RSA 6:12, I becomes law, the director of legislative services is authorized to make any technical changes to the numbering in any bill sections or RSA sections inserted by this act or such other acts as necessary to conform said sections to proper bill or RSA format. Any such changes shall be subject to the approval of the president of the senate and the speaker of the house of representatives. The authority granted under this section shall not include the power to make any substantive changes and shall expire upon the printing of the 1989 session laws.

8 New Paragraphs; Review of Fund. Amend RSA 21-M:8-h by inserting after paragraph V the following new paragraphs:

VI. No later than July 1, 1993, the department of justice shall prepare a report to present to the fiscal committee of the general court. The report shall contain a review of the use of the money in the victims' assistance fund. The fiscal committee shall, following receipt of the report, make its recommendations concerning the continuance or modification of the victims' assistance fund provided for in RSA 149-M:8-f-8-j to the general court no later than December 1, 1993.

VII. The fund created in RSA 6:12, I(aa) shall lapse on June 30, 1994, to the general fund.

9 Prospective Repeal. RSA 21-M:8-f-21-M:8-j, relative to the victims' assistance fund, are repealed.

10 Contingency; HB 764-FN-A. If HB 764-FN-A, "An act relative to state revenues and appropriations," becomes law, section 8 of this act shall take effect January 1, 1990, at 12:01 a.m. and section 9 of this act shall take effect July 1, 1994. If HB 764-FN-A does not become law, sections 8 and 9 of this act shall not take effect.

11 Effective Date.

I. Sections 1, 3-5, and 7 of this act shall take effect July 1, 1989.

II. Sections 8 and 9 of this act shall take effect as provided in section 10 of this act.

III. The remainder of this act shall take effect January 1, 1990.
Senator Currier for the committee.
Adopted.

Enrolled Bill Amendment to HB 270-FN-A

Amend RSA 263:34-a, II as inserted by section 1 of the bill by replacing line 2 with the following:

RSA 263:34-e.

Amend the bill by replacing section 4 with the following:

4 Contingency Provision. If HB 586 of the 1989 regular legislative session of the general court becomes law, RSA 6:12, I(bb) as inserted by section 2 of this act, shall be renumbered to read as RSA 6:12, I(dd). If HB 586 does not become law, this subparagraph shall be renumbered as RSA 6:12, I(cc).

5 Effective Date. This act shall take effect July 1, 1989.
Senator Currier for the committee.
Adopted.

ENROLLED BILLS REPORT

HB 50, exempting the department of transportation and the department of safety from the authority of the director of information services.

HB 70, increasing the appropriation for constructing regional vocational education centers.

HB 85, relative to employer enrollment oversight and the New Hampshire retirement system, relative to eligibility for membership in the retirement system, and relative to a director of finance for the retirement system.

HB 100, making appropriations for capital improvements.

HB 146, relative to the milk standard.

HB 200, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990 and June 30, 1991.

HB 260, relative to salaries within the department of education.

HB 327, relative to the rate of the real estate transfer tax.

HB 384, establishing a task force to review the recommendations of the Manchester airport and highway study.

HB 488, relative to regional cooperation on solid waste disposal.

HB 590, relative to submitting municipal financial reports to the department of revenue administration.

HB 710, regulating the use of social security numbers by the department of safety.

HB 766, making a supplemental appropriation for flood control and relative to the calculation of flood control reimbursements.

SB 98, relative to the application of planning and zoning regulations to land affected by more than one municipality.

SB 168, establishing a division of fire service.

HB 117, relative to feeding garbage to swine.

HB 206, prohibiting boats with more than 30 horsepower from operating on Bradley Lake in Andover.

HB 222, limiting the speed of power boats on Indian Pond in the town of Orford.

HB 288, relative to penalties for aggravated DWI, negligent homicide, and possession of controlled drugs.

HB 385, to tax all forms of tobacco products.

HB 396, relative to the board of examiners of nursing home administrators and to licensing nursing home administrators.

HB 582, dedicating the state police barracks in Milford to Major John T. Conti, Sergeant Roger Hilton, and Sergeant William Smith.

HB 445, recodifying certain water laws.

HB 586, relative to siting and permitting of solid and hazardous waste disposal facilities; to forfeiture of property for solid waste management violations; and to low-level radioactive waste management.

HB 722, regarding solid waste management districts.

SB 33, relative to a study for siting an interchange on the Spaulding turnpike and making an appropriation therefor.

SB 36, relative to the pro rata appropriation of catastrophic special education aid, school building aid, and submitting municipal financial reports to the commissioner of education.

SB 39, establishing a speed limit for power boats on Spofford Lake.

SB 40, requiring the department of safety to post headway speed limits on the Connecticut River.

SB 56, relative to the disposition of fines and forfeitures collected for violations of municipal ordinances, codes, and regulations; increasing the penalty for reckless driving; and relative to driver's license fees.

SB 71, authorizing the removal of a boat and mooring under certain circumstances and establishing a study committee on the boat registration fee structure and valuation of boats for registration.

SB 86, prohibiting petroleum powered boats on Wilson Lake.

SB 94, authorizing the sale of liquor and beverages in additional areas under a liquor license.

SB 150, relative to the department of transportation federal aid highway appropriation accounts and making an appropriation therefor; appropriating funds for a study of Route 101; and making an addition to the 10-year highway plan.

SB 153, establishing a committee to study the AFDC program and making an appropriation therefor.

HB 104, relative to common and contract carriers.

HB 262, extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a joint oversight committee and related committees to study issues regarding children.

HB 434, relative to franchising and regulation of cable television systems and making an appropriation therefor.

HB 464, relative to sons and daughters of members of charitable organizations assisting with bingo games.

HB 502, relative to disclosure of mental health information.

HB 594, to reinstate medical and surgical benefits for certain retired employees and relative to health care coverage for retired employees of political subdivisions.

HB 629, relative to gravesites.

HB 637, relative to the conduct of tax sales for failure to pay real estate taxes.

HB 654, creating a committee to study what organization may participate in the New Hampshire retirement system, and authorizing the New Hampshire Federation of Teachers to participate in the New Hampshire retirement system.

HB 658, establishing a committee to study the laws relative to depositions.

HB 677, relative to modifications of child support guidelines.

SB 7, limiting the horsepower of motors on Christine Lake in the town of Stark.

SB 51, relative to the Christa McAuliffe planetarium.

SB 67, relative to regulation of excavation of sand, gravel, and construction aggregate.

SB 69, establishing a study committee relative to a home mortgage guarantee authority.

SB 87, relative to exposure by firefighters, emergency medical care providers and police officers to infectious disease.

SB 91, providing a 20 percent cost of living adjustment for teachers retired prior to July 1, 1957, and relative to retirement benefits for combined state and university system service.

SB 111, relative to the operation of ski craft.

SB 144, relative to blood alcohol tests.

SB 196, relative to bail

HB 29, relative to liquor laws.

HB 270, relative to motorcycle safety, establishing a motorcycle rider safety fund, and making a continual appropriation therefor.

HB 273, authorizing the transfer of sick and annual leave and longevity credit for certain state employees, relative to certain salaries and relative to the department of administrative services.

HB 371, relative to licensing respiratory care practitioners and making an appropriation therefor.

HB 518, establishing a cost containment unit within the department of administrative services to administer the indigent defense eligibility and repayment program and making an appropriation therefor.

HB 578, relative to victims' assistance and making an appropriation therefor.

HB 613, relative to the method for granting supplemental allowances to New Hampshire retirement system members.

HB 693, relative to harbor management, leasing of submerged lands and boat registration fees.

HB 764, relative to state revenues and appropriations.

SB 88, providing a cost of living adjustment for certain group I members, and relative to the method for granting supplemental allowances to New Hampshire retirement system members.

SB 97, relative to the distribution of drug forfeiture money and appropriating funds to be transferred from the office of alcohol and drug abuse prevention to the department of corrections for a comprehensive drug and alcohol abuse treatment program.

Senator Currier for the committee.

Adopted

Recess.

Out of Recess.

Wednesday, June 28, 1989

The Senate met at 2:30 p.m.
A quorum was present.

The President excused Senator Nelson for the day.

The prayer was offered by the Rev. Dr. Vincent Fischer, Senate Chaplain.

Let Us Pray, Lord, look down upon us with mercy as we try to mend our fences with the S.E.A.

We are concerned with the Supreme Court's decision over the desecration of our Flag which is portrayed proudly in our National Anthem. "With the bombs bursting in air" we could still see our Flag waving proudly.

From the Hall of Montezuma to the shores of Tripoli - all through our wars it gave us courage and strength to carry on plus the great effort at Iwo Jima with pride our flag was raised. Old Glory, with much effort, was raised despite six thousand of our military lost in battle, the spirit of Freedom and Liberty.

May it wave proudly as we celebrate Independence Day. God bless us all as we remember this spirit.

Amen

Senator Disnard led the Pledge of Allegiance.

INTRODUCTION OF GUESTS

RESOLUTION

Senator Johnson introduced a resolution honoring Pierre "Pete" Simard.

A RESOLUTION MEMORIALIZING PIERRE "PETE" SIMARD

WHEREAS, a resolution is a means whereby the Senate of the State of New Hampshire may honor those individuals who have served the Senate with enthusiasm and distinction, and

WHEREAS, we acknowledge with great sorrow the death of Pierre "Pete" Simard, who served the New Hampshire Senate as a legislative aide, and

WHEREAS, he moved to the State of New Hampshire from Quebec City, Quebec, Canada in 1958, and

WHEREAS, he began working for the State in 1976, and the Legislature in 1982, and

WHEREAS, Pete was willing to help anyone who asked and will be remembered for his enthusiasm, hard work and dedication to complete any task he was asked to complete, and

WHEREAS, he will be missed by the many people who work and serve in the State House, NOW THEREFORE

BE IT RESOLVED, that the Senate of the State of New Hampshire does hereby recognize and salute Pierre "Pete" Simard for his many years of service to the Senate of the State of New Hampshire, AND BE IT

FURTHER RESOLVED, that a copy of this Resolution by prepared for presentation to his family.

RESOLUTION

Senator Stephen introduced SR 6 urging Congress to enact remedial legislation against flag desecration.

STATE OF NEW HAMPSHIRE

In the year of Our Lord one thousand
nine hundred and eighty-nine

A RESOLUTION

urging Congress to enact remedial legislation against flag desecration.

WHEREAS, the American flag is a sacred symbol of the United State of America; and

WHEREAS, there is a legitimate public interest in preserving the sanctity of "Old Glory"; and

WHEREAS, the desecration of "Old Glory" is abhorrent and reprehensible to most Americans; NOW, THEREFORE, BE IT

RESOLVED by the Senate:

That the New Hampshire senate hereby respectfully requests Congress to enact remedial legislation within the ambit of the United States Constitution against the desecration of the American flag; and

That copies of this resolution be transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the New Hampshire Congressional delegation.

SENATOR STEPHEN: This resolution urges Congress to enact remedial legislation against flag desecration. Legitimate public interests in preserving the sanctity of the American Flag clearly outweighs the First Amendment, freedom of speech. The American flag stands for the First Amendment. Anyone who attempts to desecrate or burn the flag is engaging in reprehensible conduct. Society has a substantial interest in Old Glory's preservation. This resolution will accomplish two things. First, it will send a strong message to our law makers in Washington, a message that is being heard already across the nation. Second, it will ask Congress to seek whatever remedial legislation necessary and allowable to preserve the honor and dignity of the our great symbol, even if it means beginning the process of a constitutional amendment.

SENATOR BLAISDELL: I rise in support of this resolution. With all due respect to the First Amendment and the members of the Supreme Court, I rise in support. Many years ago, as a young lad, my father took me up on the main street of Keene to watch a parade. At that time, my father, who was gassed, and wounded and shell-shocked in World War I - a very young man, he died very young. He died because of fighting for his country. As sick as he was and the chair that he was sitting in on the main street of Keene, New Hampshire as that parade went by, there was a gentleman standing a little bit to his left and I didn't know what he was doing and I being so young I couldn't help him anyway, I can remember him standing up and just feebly getting over to him and tapping the young fellow on the shoulder and he said "Son, that's the flag going by. You should take your hat off and you should respect it." I have never, never forgotten that and I never will. So what I am saying is that this is different, the flag of our country. Many people have sacrificed to keep us free. And that is a symbol that we should set above anything else. As I said, with all due respect to the Supreme Court and the First Amendment of the Constitution, I ask you to support this and those are my reasons.

SENATOR JOHNSON: I rise in support of this resolution, also. And Senator Blaisdell's comments sparked something that I would like to add to the discussion. I would like to see a renewed effort by the media or any other appropriate source to educate our public as to the correct protocol to be observed in regard to our flag. There

are a lot of people who don't know what that protocol is and I think that now that we have the concern being expressed by this resolution and other discussions, this might be a time to educate the public in that regard.

Adopted.

HOUSE MESSAGES

HOUSE REQUESTS CONCURRENCE

The House of Representatives, under rules suspension, has passed the following Bills with the following titles, in the passage of which it asks the concurrence of the Senate.

HB 767-FN, relative to state employee salaries and making an appropriation therefor.

HB 768, relative to recodification of certain water laws.

HB 769-FN, relative to an appropriation for a comprehensive drug and alcohol abuse treatment program within the department of corrections.

SUSPENSION OF THE RULES

Senator Dupont moved that the joint rules be so far suspended as to allow the introduction of bills received after the deadline.

Adopted. (2/3 votes)

SUSPENSION OF THE RULES

Senator Dupont moved that the rules of the Senate be so far suspended as to dispense with the reference to Committee, the holding of a hearing, the notice of report in the calendar and that HB 767 be put on Second Reading at the present time.

Adopted. (2/3 votes)

HB 767-FN-A, relative to state employee salaries and making an appropriation therefor.

Ought to Pass. Senator Dupont for the committee.

SENATOR DUPONT: Earlier this afternoon, the joint committee of the House and Senate met to go over with our state's negotiator HB 767, the pay raise for employees as well as the discussion on some of the insurance issues that have played probably the central role in negotiation. The committee's recommendation was adoption of the package negotiated and I would urge my colleagues to do so.

Adopted. Ordered to Third Reading.

Senators Charbonneau and Heath wished to be recorded as opposed to the decision.

SUSPENSION OF THE RULES

Senator Dupont moved that the rules of the Senate be so far suspended as to dispense with the reference to Committee, the holding of a hearing, the notice of report in the calendar and that HB 768 be put on Second Reading at the present time.

Adopted. (2/3 votes)

HB 768, relative to the recodification of certain water laws.
Ought to Pass. Senator Dupont for the committee.

Adopted. Ordered to Third Reading.

SUSPENSION OF THE RULES

Senator Dupont moved that the rules of the Senate be so far suspended as to dispense with the reference to Committee, the holding of a hearing, the notice of report in the calendar and that HB 769 be put on Second Reading at the present time.

Adopted. (2/3 votes)

HB 769-FN, relative to an appropriation for a comprehensive drug and alcohol abuse treatment program within the department of corrections.
Ought to Pass. Senator Dupont for the committee.

Adopted. Ordered to Third Reading.

RULE 44

SENATOR DISNARD: I would like to recognize the President of the Senate for doing his utmost in preserving some history of the State of New Hampshire and preserving some of the personal belongings of Josiah Bartlett one of the original signers of the constitution and for this we commend him.

RESOLUTION

Senator Dupont moved that the Senate now adjourn from the early session, that the business of the late session be in order at the

present time, that all bills ordered to third reading be read a third time by this resolution, that the titles be the same as adopted and that they be passed at the present time.

Adopted

LATE SESSION

THIRD READING AND FINAL PASSAGE

HB 767-FN-A, relative to state employee salaries and making an appropriation therefor.

HB 768, relative to the recodification of certain water laws.

HB 769-FN, relative to an appropriation for a comprehensive drug and alcohol abuse treatment program within the department of corrections.

ENROLLED BILLS REPORT

HB 767, relative to state employees salaries and making an appropriation therefor.

HB 768, relative to the recodification of certain water laws.

HB 769, relative to an appropriation for a comprehensive drug and alcohol abuse treatment program within the department of corrections.

Senator Currier for the Committee.

Adopted.

Senator Dupont moved that the business of the 1989 Legislative Session having been concluded, we now adjourn this session Sine Die and that upon this adjournment the Senate can only accept Enrolled Bill reports.

Adopted.

Adjournment.

SENATE JOURNAL

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The abbreviations listed below are used in the Numerical Index.

adop	adopted
am	amended, amendment
com	re-referred to committee
conc	concurred
conf	conference committee
enr	enrolled
Finance	referred to Finance committee
H	House
intro	introduced, introduction
IP	indefinitely postponed
K	killed (inexpedient to legislate)
LT	laid on table
nonconc	nonconcurred
opin	opinion
psd	passed
RC	roll call
rcmt	recommitted
recon	reconsideration, reconsidered
rej	rejected
rep	report
req	request, requested
sct	N.H. Supreme Court
SO	special order
study	referred to interim study committee
wthd	withdrawn, withdrew, withdrawal

NUMERICAL INDEX

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- SB1-FN-A**, making an appropriation to the liquor commission for air conditioning. (Blaisdell et al)
45, am 106, psd 196, H nonconc 563
- SB2-FN**, relative to restraints in motor vehicles. (Hough et al)
45, K 180-181
- SB3-FN**, relative to child passenger restraints in motor vehicles. (Hough et al)
45, psd 181-182, 197, H nonconc 845
- SB4-A**, making supplemental appropriations for fiscal year 1989. (Blaisdell et al)
45, am 107-161, psd 196, recon rej 197, nonconc H am, conf, & rep adop 404-411 (K)
- SB5**, permitting a corporation to limit the liability of its directors and officers in its articles of incorporation. (Roberge and Rep. Palumbo of Rock. 10)
24, am 65-66, psd 85, nonconc H am, conf 1383, conc H am 1401, enr 1496 (Chapter 275)
- SB6**, extending the statute of limitations for certain fish and game offenses. (Bond et al)
24, am 53-54, psd 84, H conc 564, enr 642 (Chapter 97)

- SB7**, limiting the horsepower of motors on Christine Lake in the town of Stark. (Bond)
24, psd 54, 84, conc H am 1384, enr am 1536, enr 1552 (Chapter 351)
- SB8**, relative to workers' compensation coverage of firemen. (Bond)
24, psd 66, 85, H conc 703, enr 1388 (Chapter 204)
- SB9**, to clarify how to designate highways to summer cottages. (Bond)
24, am 82-83, psd 85, conc H am 1384, enr am 1493, enr 1524 (Chapter 299)
- SB10**, repealing a chapter on floating timber and damage therefrom. (Preston et al)
New title: relative to floating timber.
24, psd 69, 85, nonconc H am, conf 758, 1387, rep adop 1477, 1479, enr 1529 (Chapter 352)
- SB11**, prohibiting ski craft on various lakes of the state. (McLane)
24, LT 215, K 412
- SB12**, relative to the Uniform Gifts to Minors law. (McLane)
24, psd 69, 85, H conc 610, enr 642 (Chapter 98)
- SB13**, relative to the definition of legislative and governing bodies of municipalities. (Bass)
24, am 73-74, psd 85, conc H am 758, enr 1388 (Chapter 205)
- SB14**, relative to alcohol concentration tests for driving while intoxicated and other offenses. (Johnson and Rep. Musler of Str. 3)
25, am 78-79, psd 85, conc H am 1334, enr am 1493, enr 1529 (Chapter 353)
- SB15-FN**, relative to New Hampshire hospital reimbursements for certain observations. (Bond)
25, psd 77, 85, H conc 664, enr 1333 (Chapter 125)
- SB16**, relative to post-termination commissions paid to sales representatives. (Freese and Rep. Fraser of Mer. 6)
25, am 166-168, psd 197, conc H am 1383, enr 1413 (Chapter 244)
- SB17**, allowing the wetlands board authority to issue cessation orders pending a hearing. (Preston et al)
25, am 361-362, psd 414, H conc 564, enr 616 (Chapter 99)
- SB18**, relative to forest and brush fires. (Bond)
New title: relative to forest and brush fires and enforcement powers of the division of forests and lands.
25, am 54-56, psd 84, recon notice 86, recon & am 193-194, psd 197, H conc 664, enr am 1330-1331, enr 1406 (Chapter 214)
- SB19**, establishing a joint legislative oversight committee on highway and bridge construction and reconstruction plans. (Torr and Preston)
25, am 251-252, psd 311, conc H am 665, enr 841, veto sustained (RC) 1486-1491
- SB20**, relative to the method of taking deer in the city of Dover. (Torr and Rep. Torr of Str. 6)
25, psd 56, 84, H LT 664 (IP)
- SB21-FN**, establishing authority for revolving funds for publications and training in the office of state planning. (Freese et al)
25, am 60, psd 85, conc H am 1384, enr 1413 (Chapter 245)
- SB22**, relative to certain forestry activities in wetlands. (Blaisdell)
25, am 200-202, psd 250, conc H am 1334, enr 1405 (Chapter 215)
- SB23**, relative to the executive director of the liquor commission. (Bartlett)
25, am 215-216, psd 250, conc H am 1401, enr 1413 (Chapter 246)
- SB24**, relative to liquor store displays and promotions. (Bartlett)
25, am 205-208, psd 250, nonconc H am, conf 1383, 1411, rep adop 1477, 1479, enr 1530 (Chapter 354)
- SB25**, reinstating the charter of Geometric Wire Co., Inc. (St. Jean)
25, K 299
- SB26**, relative to subpoena powers of arbitrators in labor arbitration. (Bond)
25, K 61
- SB27**, relative to the liability of landowners for pollutant clean-up. (Bass)
New title: relative to the liability of landowners for hazardous waste cleanup.
26, psd 56-57, 84, nonconc H am, conf 1381, 1411, rep adop 1477, 1479, enr 1529 (Chapter 355)
- SB28**, relative to property purchases by executive departments. (Stephen et al)
26, IP 208-209, recon & LT 249, K 412
- SB29-FN**, relative to nonabandonment of dedicated streets. (Krasker and Rep. Blanchard of Rock. 26)
26, psd 79-80, 85, H conc 664, enr 841 (Chapter 131)

- SB30-FN**, establishing a committee to study all aspects of the effect on consumers of emerging changes in the financial services industries. (Dupont and Rep. Fraser of Mer. 6)
26, psd 53, 84, H conc 845, enr 1389 (Chapter 206)
- SB31**, relative to renovation of the Rochester post office as a district court facility. (Dupont)
26, psd 163, 197, H conc 1386, enr 1406 (Chapter 216)
- SB32-FN**, relative to drug offenses. (Dupont)
26, am 168-169, psd 197, H conc 845, enr 1389 (Chapter 207)
- SB33-A**, relative to construction on the Spaulding turnpike and making an appropriation therefor. (Dupont and Rep. Frechette of Str. 8)
New title: relative to a study for siting an interchange on the Spaulding turnpike and making an appropriation therefor.
26, am 252, psd 311, nonconc H am, conf 1404, 1411, rep adop 1477, 1479, enr 1551 (Chapter 356)
- SB34**, nullifying the sunset termination of the port authority scheduled for July 1, 1989. (Krasker and Torr)
26, am 80, psd 85, H conc 610, enr 642 (Chapter 100)
- SB35-FN**, relative to testing for AIDS when necessary to protect the health of a law enforcement officer. (Preston)
29, K 78
- SB36-FN-A**, relative to catastrophic costs and school buildings aid and making appropriations therefor. (Hough et al)
First New title: relative to catastrophic costs and school building aid.
Second new title: relative to a pro rata appropriation of catastrophic special education aid, school building aid and submitting municipal financial reports to the commissioner of education.
29, am & Finance 90-92, am 339-340, psd 413, conc H am 1401, enr 1551 (Chapter 357)
- SB37-FN-A**, making a supplemental appropriation for area vocational school tuition and transportation. (Hough et al)
New title: making supplemental appropriations for area vocational school tuition and transportation, school building aid, catastrophic costs, audit fund, and foster care.
29, Finance 92, am 257-258, psd 311, recon notice 315, recon, LT & K 411-412
- SB38-FN**, relative to fireworks. (Preston et al)
29, am 330-332, psd 413, conc H am 1334, enr 1405 (Chapter 217)
- SB39**, establishing a speed limit for power boats on Spofford Lake. (Blaisdell)
29, psd 57, 84, H conc 845, enr am 1534, enr 1551 (Chapter 358)
- SB40**, relative to speed limits for power boats on the Connecticut River. (Blaisdell)
New title: requiring the department of safety to post headway speed limits on the Connecticut River.
29, am 202-203, psd 250, H conc 845, enr am 1534, enr 1551 (Chapter 359)
- SB41**, repealing an exemption from real estate licensing for sale of manufactured housing by manufactured housing park owners. (Johnson et al)
29, study 332-333
- SB42**, relative to the personnel appeals board. (Freese and Rep. Ward of Graf. 1)
29, study 333
- SB43-FN**, relative to licensing engineers, architects, and land surveyors. (Charbonneau and Nelson)
30, am 96-98, psd 196, conc H am 1383-1384, enr 1413 (Chapter 247)
- SB44-FN**, requiring the superior court to adjudicate paternity in certain contested cases. (Roberge et al)
30, am 169-170, psd 197, conc H am 1384, enr 1413 (Chapter 248)
- SB45-FN**, relative to child support enforcement. (Roberge et al)
30, am, LT & S Ct opin req (SR 3) 69-71, am 755-758, psd 762, H conc 1415, enr am 1524, enr 1529 (Chapter 360)
- SB46-FN**, relative to wage withholding for child support. (Roberge et al)
30, am 71-72, psd 85, H conc 664, enr 1333 (Chapter 126)
- SB47**, authorizing a day for fishing without a license. (McLane and Heath)
30, psd 57, 84, conc H am 610-611, enr 642 (Chapter 101)
- SB48-FN**, authorizing the sale of a certain parcel of state land to a water district. (Dupont and Rep. Musler of Str. 3)
30, psd 203, 250, H conc 564, enr 616 (Chapter 102)

- SB 49-FN-A**, requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program and making an appropriation therefor. (Disnard)
New title: requiring the department of education to develop a questionnaire to be included in its statewide secondary testing program.
 30, Finance 92, am 340-341, psd 413, H conc 610, enr am 760, enr 1333 (Chapter 127)
- SB 50**, relative to metering liquid hazardous waste. (Heath)
New title: relative to measuring liquid hazardous waste.
 30, am 203-204, psd 250, conc H am 1400, enr 1524 (Chapter 300)
- SB 51-FN**, relative to the Christa McAuliffe planetarium. (Heath)
 30, psd 74, 85, nonconc H am, conf 1383, 1411, rep adop 1477, 1479, enr 1552 (Chapter 362)
- SB 52**, relative to drug paraphernalia. (Nelson et al)
 30, psd 170, 197, nonconc H am, conf 1382, 1411, rep adop 1478, 1479-1480, enr 1529 (Chapter 361)
- SB 53-FN**, relative to assessing time share interests. (Bond)
 30, psd 61, 85, conc H am 700, enr 1333 (Chapter 128)
- SB 54-FN**, conditionally extending the date for raising of funds by the trust fund for the prevention of child abuse and neglect. (Podles et al)
 30, psd 72, 85, conc H am 700, enr 1333 (Chapter 129)
- SB 55**, relative to the children's trust fund for the prevention of child abuse and neglect. (Podles and Rep. Wallner of Mer. 21)
 30, psd 61-62, 85, H conc 664, enr 761 (Chapter 132)
- SB 56-FN**, relative to the disposition of fines and forfeitures collected for violations of municipal ordinances, codes, and regulations. (Preston and Rep. Gage of Rock. 13)
New title: relative to the disposition of fines and forfeitures collected for violations of municipal ordinances, codes, and regulations; increasing the penalty for reckless driving; and relative to driver's license fees.
 31, psd 170, 197, conc H am 1400, enr 1552 (Chapter 410)
- SB 57-FN**, relative to mandatory recycling for state agencies. (Torr et al)
New title: relative to mandatory waste reduction and recycling for state agencies.
 31, am 325-328, psd 413, rules suspended & H Com 1278
- SB 58-A**, appropriating funds to reimburse the highway surplus account used for rehabilitation of the Cornish-Windsor bridge. (Disnard)
 31, psd 86, 196, nonconc H am, conf 1380-1381 (K)
- SB 59-A**, appropriating funds to the land conservation investment program. (Blaisdell et al)
 31, K 258-259
- SB 60**, relative to recording dock permits. (Preston et al)
 31, psd 57-58, 84, nonconc H am, conf 1334, recon & conc H am 1380, enr am 1409, enr 1414 (Chapter 249)
- SB 61-FN-A**, relative to preserving the old state house and making an appropriation therefor. (Krasker et al)
 31, am 259, psd 311, conc H am 1401, enr 1496 (Chapter 276)
- SB 62-FN**, relative to golf courses and discretionary easements for the purposes of current use taxation. (St. Jean)
 31, K 204
- SB 63-FN**, relative to enforcement of child medical support. (Roberge et al)
 31, am 66-67, psd 85, H conc 664, enr 701 (Chapter 121)
- SB 64-FN**, relative to asbestos management penalties. (Nelson et al)
 31, psd 280, 311, conc H am 758, enr 1414 (Chapter 250)
- SB 65-FN**, relative to mental health insurance benefits. (Bond)
New title: establishing a committee to study mental health insurance benefits.
 31, LT 270, am 316-317, psd 413, nonconc H am, conf 1382, 1411, K 1529
- SB 66**, relative to deregulation of haulers of solid waste. (Heath)
New title: relative to regulation of transporters of solid waste.
 31, am 280-283, psd 311, nonconc H am, conf 1382, 1412, K 1529
- SB 67-FN**, relative to regulation of excavation of sand, gravel, and construction aggregate. (Torr et al)
 31, am 317-322, psd 413, nonconc H am, conf 1333-1334, rep adop 1478, 1480, enr 1552 (Chapter 363)
- SB 68-FN-A**, relative to mandatory membership in regional planning commissions and making an appropriation therefor. (Bass)
 32, K 179

- SB69-FN**, establishing the home mortgage guarantee authority. (Freese)
New title:, establishing a study committee relative to a home mortgage guarantee authority.
 32, rcmt 163, am 362-369, psd 414, nonconc H am, conf 758, 1387, rep adop 1478, 1480, enr 1553 (Chapter 364)
- SB70-FN-A**, establishing a pilot program to test the application of the office of state planning's GRANIT system and making an appropriation therefor. (Freese)
First new title: establishing a pilot program to test the application of the office of state planning's GRANIT system.
Second new title: relative to the technical assistance provided to municipalities by the office of state planning.
 32, Finance 299-300, am 341-342, psd 413, nonconc H am, conf 700-701, 840, rep adop 1478, 1480, enr 1529 (Chapter 366)
- SB71**, authorizing the removal of a boat and mooring under certain circumstances. (Heath)
New title: authorizing the removal of a boat and mooring under certain circumstances and establishing a study committee on the boat registration fee structure and valuation of boat for registration.
 32, psd 218-219, 250, nonconc H am, conf 1380, 1412, rep adop 1478, 1480, enr 1552 (Chapter 368)
- SB72**, authorizing the department of resources and economic development to negotiate development rights and timber rights with private land owners. (Bond and Heath)
 32, K 219
- SB73-FN**, establishing a committee to study taxing smokeless tobacco. (Bass and McLane)
New title: establishing a committee to study taxing all tobacco products.
 32, am 185-186, psd 197, nonconc H am, conf 1382, rep adop 1478, 1480, enr 1530 (Chapter 369)
- SB74-FN**, increasing civil penalties for wetlands violations. (Preston et al)
 32, K 362
- SB75-FN**, requiring recording of wetlands permits with the registry of deeds. (Preston et al)
 32, K 163
- SB76**, relative to durable power of attorney for health care. (McLane)
New title: establishing a committee to study durable powers of attorney for health care.
 32, am 170-174, psd 197, nonconc H am, conf 1382, 1412, rep adop 1478, 1480 (K)
- SB77-FN**, relative to a holiday pay for part-time state employees. (McLane et al)
New title: relative to holiday pay for certain part-time employees.
 32, am 259-260, psd 311, nonconc H am, conf 1402, 1412, rep adop 1478, 1480-1481, enr 1530 (Chapter 370)
- SB78-FN-A**, making appropriations to the WIC program. (McLane et al)
 32, am & Finance 220-221, psd 342, 413, H nonconc 1386
- SB79-FN**, relative to state employee bargaining rights. (Bond et al)
 32, am 212-214, psd 250, recon notice 251, H nonconc 670
- SB80**, authorizing municipalities to exercise certain enforcement powers. (Hough)
 32, K 253
- SB81-FN**, relative to the management of court facilities. (Hough et al)
New title: relative to the management of court facilities and making an appropriation therefor.
 33, am 216-217, psd 250, nonconc H am, conf 1402, 1412, rep adop 1478, 1481, enr 1530 (Chapter 371)
- SB82-FN**, relative to judicial retirement pay and to vested rights in judicial retirement compensation. (Hough et al)
New title: establishing a study committee on judicial retirement vesting rights and retirement contributions.
 33, am 161-162, psd 196, nonconc H am, conf 1403, 1412, rep adop 1478, 1481, enr am 1531, enr 1530 (Chapter 372)
- SB83-FN-A**, making an appropriation to support the conservation corps. (Disnard et al)
 33, am & Finance 58, K 260-261
- SB84**, to require drivers on motorcycles and OHRV's to wear eye and face protection. (Magee and Nelson)
New title: to require drivers on motorcycles to wear eye and face protection.
 33, am 80-81, psd 85, H conc 845, enr 1388 (Chapter 208)
- SB85-FN**, establishing a state board of forensic polygraph examiners. (Nelson et al)
 33, K 163-164

SB86, prohibiting ski craft on Big Island Pond and Wilson Pond. (Delahunty)

First new title: prohibiting ski craft on Wilson Lake.

Second new title: prohibiting power boats and ski craft on Wilson Lake.

Third new title: prohibiting petroleum powered boats on Wilson Lake.

33, am 204-205, recon & LT 249, am 309-310, psd 312, conc H am 1400, enr am 1535, enr 1552 (Chapter 373)

SB87-FN, relative to exposure by firefighters and emergency medical technicians to infectious disease. (Preston)

First new title: relative to exposure by firefighters, emergency medical technicians and police officers to infectious disease.

Second new title: relative to exposure by firefighters, emergency medical care providers and police officers to infectious disease.

33, am 243-249, psd 250, nonconc H am, conf 1381, 1412, rep adop 1478, 1481, enr 1553 (Chapter 374)

SB88-FN, providing a cost of living adjustment for certain group I members. (Blaisdell et al)

New title: providing a cost of living adjustment for certain group I members, and relative to the method for granting supplemental allowances to New Hampshire retirement system members.

33, psd 162-163, 197, nonconc H am, conf 1402, 1412, rep adop 1478, 1481, enr am 1542, enr 1553 (Chapter 375)

SB89-FN, providing a 5 percent cost of living adjustment for group I retirement system members. (Blaisdell et al)

First new title: providing a 5 percent cost of living adjustment for group I retirement system members and relative to defining "retired state employee" for state employees group insurance purposes.

Second new title: providing a 5 percent cost of living adjustment for group I retirement system members, establishing a committee to study insurance and medical benefits for retired state employees, relative to retirement benefits for widows of superior court justices and making and appropriation therefor and relative to medical benefits for retired state employees.

33, am 356-358, psd 414, nonconc H am, conf 1403, 1412, rep adop 1478, 1481-1482, enr 1530 (Chapter 376)

SB90-FN, providing a 4 percent cost of living adjustment for group II members. (Blaisdell et al)

New title: providing a cost of living adjustment for group II members.

33, am 214, psd 250, nonconc H am, conf 1402, 1412, rep adop 1478, 1482, enr 1530 (Chapter 377)

SB91-FN, providing a 20 percent cost of living adjustment for teachers retired prior to July 1957. (Blaisdell et al)

New title: providing a 20% cost of living adjustment for teachers retired prior to July 1, 1957, and relative to retirement benefits for combined state and university system service.

33, am 67-68, psd 85, nonconc H am, conf 1380, 1412, rep adop 1478, 1482, enr 1553 (Chapter 378)

SB92-FN, relative to the bargaining rights of state employees. (St. Jean and Nelson)

34, K 214-215

SB93-FN, relative to the number of primary ballots to be used for computerized voting machines. (Preston)

34, psd 220, 250, H conc 664, enr 761 (Chapter 133)

SB94-FN, authorizing the sale of liquor and beverages in additional areas under a liquor license. (Delahunty and Rep. Skinner of Rock. 21)

34, am 62-63, psd 85, nonconc H am, conf 1381, 1412, rep adop 1478, 1482, enr 1552 (Chapter 379)

SB95-FN, establishing a minimum fine for violating the boat decibel limits. (Blaisdell)

34, psd 182, 197, H conc 845, enr 1388 (Chapter 209)

SB96-A, relative to the Portsmouth district court and the Concord district court and making an appropriation therefor. (Krasker et al)

New title: relative to the Portsmouth district court and making an appropriation therefor.

34, am 199-200, psd 250, H conc 1386, enr 1405 (Chapter 218)

- SB97-FN**, relative to the distribution of drug forfeiture money. (Bartlett)
New title: relative to the distribution of drug forfeiture money and appropriating funds to be transferred from the office of alcohol and drug abuse prevention to the department of corrections for a comprehensive drug and alcohol abuse treatment program.
 34, am 164-165, psd 197, nonconc H am, conf 1381, 1412, rep adop 1478, 1482, enr am 1546-1547, enr 1553 (Chapter 380)
- SB98**, relative to the application of planning and zoning regulations to land affected by more than one municipality. (Currier)
 34, am 364-377, psd 414, nonconc H am, conf 1334, 1412, rep adop 1478, 1482, enr am 1536-1537, enr 1551 (Chapter 381)
- SB99-FN**, supplementing the funding for programs which assist victims of domestic violence. (Krasker et al)
 34, psd 221-222, 250, conc H am 1400, enr 1496 (Chapter 277)
- SB100-FN**, relative to pari-mutuel racing. (Blaisdell and Heath)
 34, am 303-307, psd 312, H conc 1386, enr 1406 (Chapter 219)
- SB101-FN-A**, relative to the production of music education videotapes for classroom use and making an appropriation therefor. (Podles et al)
 34, K 92-93
- SB102-FN-A**, relative to closed circuit televised boxing and wrestling matches. (Stephen et al)
 34, K 63-64
- SB103-FN**, relative to hospital and medical benefits for certain retired state employees. (McLane and Rep. Fillion of Mer. 15)
 35, K 358-361
- SB104**, relative to land acquisition for the construction of a ramp on Route 3 at the Massachusetts border. (Nelson et al)
 35, am 252-253, psd 311, H conc 610, enr 701 (Chapter 122)
- SB105-FN-A**, making an appropriation for improving electrical service at Weeks state park in Lancaster. (Bond)
 35, psd 261, 311, nonconc H am, conf 1381, rep adop 1478, 1482, enr 1531 (Chapter 382)
- SB106-FN**, relative to driver's license applications by nonresident drivers. (Delahunty et al)
First new title: relative to increasing driver's license fees and relative to issuing temporary driver's licenses to new residents and making an appropriation therefor.
Second new title: relative to issuing temporary driver's licenses to new residents and authorizing additional positions for the department of safety and making an appropriation therefor.
 35, am & Finance 236-238, psd 342-343, 413, nonconc H am, conf 1381, 1412, rep adop 1478, 1483, enr 1530 (Chapter 384)
- SB107**, relative to the right to know law. (Nelson et al)
 35, psd 174-175, 197, conc H am 1384, enr 1413 (Chapter 274)
- SB108-FN**, relative to Skyhaven airport in Rochester. (Torr and Dupont)
 35, am 238-240, psd 250, nonconc H am, conf 665, 701, rep adop 1478, 1483, enr 1530 (Chapter 383)
- SB109-FN-A**, establishing a pilot reading recovery program and making an appropriation therefor. (Hough and McLane)
New title: establishing a pilot reading recovery program and relative to the state board of education.
 35, Finance 93, psd 261-262, 311, nonconc H am, conf 1403, recede from nonconc & conc H am 1413, enr 1524 (Chapter 301)
- SB110**, relative to joint and several liability and to pollution liability. (Blaisdell et al)
 35, psd 286, 311, conc H am 1384, enr 1496 (Chapter 278)
- SB111**, relative to the operation of ski craft. (McLane and Bass)
 35, am 270-278, psd 311, nonconc H am, conf 1403, 1412, 1414, rep adop 1478, 1483-1484, enr am 1537, enr 1553 (Chapter 409)
- SB112**, relative to corporal punishment in and the regulation of child care agencies and schools. (Podles and Nelson)
New title: establishing a study committee to examine corporal punishment in and the regulation of child care agencies and schools.
 35, am 286-289, psd 311, H nonconc 845

- SB 113-FN-A**, relative to medicaid coverage of dental benefits for all categorically eligible recipients and making an appropriation therefor. (Blaisdell and McLane)
New title: establishing a study committee to examine medicaid coverage of dental benefits for all categorically eligible recipients.
 35, Finance 222, am 343, psd 413, nonconc H am, conf 1382, 1412, rep adop 1478, 1484, enr 1530 (Chapter 393)
- SB 114**, relative to speed limits on certain roads. (King and Rep. Maviglio of Bel. 1)
 35, psd 81, 85, H nonconc 845
- SB 115-FN**, establishing a committee to study private sector involvement in public education. (King)
 36, am 93-94, psd 196, H nonconc 664
- SB 116-FN**, to establish a committee to study the distribution of revenue from the meals and rooms tax. (King)
 36, K 186-187
- SB 117**, reinstating the charter of Coronet Agency, Inc. (King)
 36, K 74
- SB 118-FN**, relative to private rights-of-way and class VI highways. (King)
 36, psd 81, 85, H conc 664, enr 761 (Chapter 134)
- SB 119**, relative to the central polling place for ward 2 voters in the city of Portsmouth. (Krasker et al)
New title: relative to the boundaries of ward 2 in the city of Portsmouth.
 36, am 74-77, psd 85, H conc 664, enr am 841, enr 1389 (Chapter 210)
- SB 120-FN**, relative to acute care. (Bartlett)
 36, am 222-224, psd 250, conc H am 666, enr 1333 (Chapter 130)
- SB 121**, establishing the Pittsfield regional solid waste cooperative. (Freese)
 36, am 253-254, psd 311, H nonconc 703
- SB 122-FN**, relative to member retirement deductions for certain group II members. (Dupont)
 36, psd 69, 85, H conc 1386, enr 1413 (Chapter 251)
- SB 123**, relative to the right to know law. (Dupont)
 36, study 289
- SB 124-FN**, relative to the sale of liquor. (Dupont and Delahunty)
 36, K 165
- SB 125**, adopting the uniform trade secrets act. (McLane)
 36, am 175-178, psd 197, H conc 845, enr 1405 (Chapter 220)
- SB 126-FN**, to require the wearing of motorcycle helmets. (McLane)
 36, K 82
- SB 127-FN**, relative to licensing physical therapists. (Blaisdell)
 36, psd 209, 250, H conc 670, enr 841 (Chapter 135)
- SB 128**, relative to subdivision approval by planning boards. (Charbonneau)
 36, am 377-378, psd 414, H nonconc 703
- SB 129**, requiring the department of corrections to notify the division of state police when certain prisoners are paroled. (Dupont)
 36, K 64
- SB 130-A**, relative to developing an additional parking lot at the technical institute at Concord and making an appropriation therefor. (McLane and Heath)
 37, K 86
- SB 131-FN-A**, establishing a New Hampshire film and television bureau and making an appropriation therefor. (King and Rep. LaMott of Graf. 5)
 37, K 58-59
- SB 132-FN**, relative to Rockingham Park. (Delahunty et al)
New title: relative to Rockingham Park and the Rochester Agricultural and Mechanical Association, Inc.
 37, am 396-404, psd 414, H nonconc 703
- SB 133-FN-A**, making an appropriation for Title XX grants and protective and preventive child care. (Krasker et al)
 37, Finance 224, com vacated & am 355, psd 414, H nonconc 1386
- SB 134-A**, relative to the purchase and maintenance of airports and making an appropriation therefor. (Dupont)
 37, am 262-265, psd 311, H nonconc 664

- SB 135-FN**, prohibiting students from voluntarily leaving secondary school at age 16 or 17 without demonstrating literacy. (Disnard et al)
New title: relative to student literacy.
 37, Finance 94-95, am 266, psd 311, H conc 610, enr 616, veto sustained (RC) 1491-1492
- SB 136-FN**, prohibiting abortions performed on certain minors without parental consent. (Roberge et al)
 37, psd (RC) 290-299, 312, correction 416, H nonconc 495
- SB 137-FN**, relative to the language, phrasing, and explanation of ballot questions. (Roberge et al)
 37, psd 77, 85, H nonconc 703
- SB 138-FN**, providing supplemental education assistance to school districts with assisted housing units. (Freese)
New title: establishing a committee to study supplemental education assistance to school districts with assisted housing units.
 37, am 254-256, psd 311, H nonconc 664
- SB 139-FN**, relative to notifying property owners of zoning changes. (Podles)
 37, psd 300, 312, H nonconc 703
- SB 140-FN**, relative to elderly property tax exemptions and increases in the assessed valuation of real estate. (Podles et al)
 37, am 98-101, psd 196, H nonconc 845
- SB 141-FN**, providing business profits tax credits for the sale of certain conservation and recreation land. (Roberge et al)
 38, am 241-242, psd 250, H nonconc 845
- SB 142-A**, making an appropriation to the vocational-technical college in Claremont. (Disnard et al)
 38, Finance 95, K 266-267
- SB 143**, relative to the sale of customer lists by a public utility. (Johnson et al)
 38, rcmt 220, K (RC) 378-388
- SB 144-FN**, relative to blood alcohol tests. (Johnson)
 38, am, LT & S Ct opin req (SR 4) 190-192, am 1371-1374, psd 1392, H conc 1415, enr am 1409-1410, 1541, enr 1553 (Chapter 392)
- SB 145-FN**, to authorize municipalities to segregate non-tax revenues. (Roberge et al)
New title: to authorize municipalities to establish special revenue funds.
 38, am 209-212, psd 250, H conc 703, enr am 1391, enr 1496 (Chapter 279)
- SB 146-FN**, relative to judicial salaries. (Hough et al)
 38, psd 162, 197, H conc 1386, enr 1406 (Chapter 213)
- SB 147-FN-A**, relative to waiting lists for developmentally disabled persons and making an appropriation therefor. (Nelson et al)
New title: relative to waiting lists for developmentally disabled persons.
 38, am & Finance 224-225, am 343-345, psd 413, conc H am 1400, enr 1496 (Chapter 280)
- SB 148-FN**, relating to imposing fines for cosmetology practice violations. (Nelson et al)
 38, study 388
- SB 149-FN**, relative to driver's licenses for minors. (Delahunty et al)
 38, com changed 46, K 205
- SB 150**, relative to lapsing funds appropriated for a completed portion of Route 101 to the highway fund. (Torr et al)
First new title: relative to the department of transportation federal aid highway appropriation accounts and making an appropriation therefor.
Second new title: relative to the department of transportation federal aid highway appropriation accounts and making an appropriation therefor: appropriating funds for a study of route 101; and making an addition to the 10-year highway plan.
 38-39, am 322-325, psd 413, nonconc H am, conf 1402, 1412, rep adop 1478, 1484, enr 1552 (Chapter 391)
- SB 151-A**, making an appropriation for the completion of New Hampshire Route 101. (Torr et al)
New title: directing the commissioner of the department of transportation to complete New Hampshire Route 101.
 39, am 87-88, psd 196, H conc 564, enr 612 (Chapter 103)

- SB 152-FN-A**, relative to a study of a portion of the Spaulding Turnpike and making appropriation therefor. (Torr et al)
New title: relative to a study of a portion of the Spaulding turnpike and making an appropriation therefor, and establishing a committee to study traffic problems on routes 16 and 302 in the Mt. Washington Valley.
 39, am 88, psd 196, conc H am 1401, enr 1496 (Chapter 281)
- SB 153-FN-A**, requiring the director of human services to establish annually the standard of need for AFDC recipients and making an appropriation therefor. (McLane et al)
First new title: establishing a committee to study the AFDC program.
Second new title: establishing a committee to study the AFDC program and making an appropriation therefor.
 39, am & Finance 226-228, psd 354, 414, nonconc H am, conf 1401-1402, 1412, rep adop 1479, 1484, enr 1552 (Chapter 390)
- SB 154-FN-A**, relative to timely distribution of sweepstakes revenues through the foundation aid formula. (Hough)
 39, psd 267, 311, nonconc H am, conf 1404, 1412, rep adop 1479, 1485, enr 1530 (Chapter 414)
- SB 155-FN**, relative to the quarterly payment of property taxes. (Bartlett)
 39, K 179
- SB 156-FN**, relative to out-of-state solid waste. (Torr et al)
New title: relative to refuse disposal.
 39, am 328-330, psd 413, conc H am 1384, enr 1413 (Chapter 273)
- SB 157-FN**, relative to special license plates for solid waste haulers. (Torr et al)
 39, LT 84, am 195-196, psd 197, H nonconc 846
- SB 158-FN**, relative to the sale of a mobile home park. (Dupont and Nelson)
New title: relative to the sale of a manufactured housing park.
 39, am 369-371, psd 414, H conc 610, enr 616 (Chapter 104)
- SB 159-FN**, allowing for state monitoring of private solid waste facility operations. (Dupont and Roberge)
 39, K 254
- SB 160-FN**, relative to emergency rate setting powers of the public utilities commission. (Dupont)
 39, K 278-280
- SB 161**, authorizing regional agreements for water resources management and protection plans. (Dupont et al)
 39-40, am 59-60, psd 84, H conc 564, enr 612 (Chapter 105)
- SB 162-FN-A**, to return revenue to cities and towns and making an appropriation therefor. (Dupont et al)
 40, K 267-268
- SB 163-FN**, relative to power production capacity of certain small power production facilities. (Heath)
 40, am 283-285, psd 311, conc H am 841, enr 1388 (Chapter 211)
- SB 164-FN**, relative to licensing ophthalmic dispensers. (Blaisdell)
New title: relative to registering ophthalmic dispensers and making an appropriation therefor.
 40, am 333-339, psd 413, nonconc H am, conf 1401, 1412, rep adop 1479, 1485, enr am & enr 1531 (Chapter 389)
- SB 165-FN**, relative to the operation of stump dumps. (Delahunty and Roberge)
 40, K 254
- SB 166**, relative to modifying planning board procedures on plats. (Charbonneau)
New title: relative to modifying planning board procedures on plats and relative to invalid zoning ordinances and appeals to the superior court.
 40, am 389-391, psd 414, H nonconc 703
- SB 167**, limiting actions against developers. (Torr)
 40, K 72
- SB 168-FN**, establishing a division of fire service. (Dupont and Bond)
 40, am & Finance 64-65, am 268-269, psd 311, nonconc H am, conf 1403, 1412, rep adop 1479, 1485, enr am 1531-1533, enr 1551 (Chapter 388)
- SB 169-FN**, creating a committee to study school tax rates. (Currier)
 40, psd 345, 413, H nonconc 610

- SB170-FN-A**, establishing an emergency shelter telephone service and a pilot housing voucher program, and making appropriations therefor. (McLane et al)
New title: establishing an emergency shelter telephone service and a pilot housing voucher program, and making an appropriation for the emergency shelter telephone service.
 40, am & Finance 228-230, am 346, psd 413, H nonconc 1386
- SB171-FN**, relative to revenue distribution. (Torr and Rep. Torr of Str. 6)
 40, psd 83-84, 85, conc H am 1384, enr 1413 (Chapter 252)
- SB172-FN-A**, relative to the capital reserve fund and making an appropriation therefor. (Blaisdell et al)
 40, psd 106-107, 196, recon rej 197, H nonconc 1386
- SB173**, adopting uniform commercial code article 2A - leases. (McLane)
 41, psd 178, 197, H nonconc 846
- SB174-FN**, relative to regulation of estheticians. (Nelson et al)
 41, psd 101, 196, H conc 703, enr am 1330, enr 1406 (Chapter 221)
- SB175-FN-A**, making an appropriation to the arts development program. (Krasker et al)
 42, psd 269, 311, nonconc H am, conf 1402-1403, 1412, rep adop 1479, 1485, enr 1530 (Chapter 412)
- SB176-FN-A**, extending the pilot program for child care provider recruitment and training and making an appropriation therefor. (Krasker and Rep. Wallner of Mer. 21)
 42, Finance 78, K 346-347
- SB177-FN-A**, establishing a grant program and a guaranteed loan fund for child care providers and making an appropriation therefor. (Krasker et al)
First new title: establishing a grant program and a guaranteed loan program for child care providers and making an appropriation therefor.
Second new title: establishing a grant program and a guaranteed loan fund for child care providers.
Third new title: establishing an interest-free revolving loan fund and a guaranteed loan program for child care providers.
 42, am & Finance 231-235, am 347-351, psd 413, conc H am 1400-1401, enr am 1533-1534, enr 1531 (Chapter 411)
- SB178**, relative to campaign financing. (St. Jean et al)
 42, am 391-396, psd 414, H conc 845, enr 1388 (Chapter 212)
- SB179-FN-A**, establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden and making a contingent appropriation for a professional feasibility study. (Roberge et al)
New title: establishing a committee to study the feasibility of a privately funded zoological park, aquarium, and botanical garden.
 42, Finance 179-180, am 307-309, psd 312, H nonconc 610
- SB180**, relative to abandoned vehicles. (Currier et al)
 42, am 182-184, psd 197, conc H am 1384, enr 1413 (Chapter 253)
- SB181**, making technical changes in certain laws relating to dams. (Preston et al)
 42, psd 88-89, 196, H conc 564, enr 612 (Chapter 106)
- SB182**, making appropriations to expand the nursing programs at the New Hampshire vocational-technical college-Clairemont. (Disnard et al)
 42, Finance 95-96, am 270, psd 311, H nonconc 610
- SB183-FN**, relative to the time for holding school elections in cities. (Disnard and Rep. Krueger of Sul. 6)
 42, am 300-301, psd 312, H nonconc 664
- SB184-FN**, relative to sale of fireworks. (Bass)
 42, K 339
- SB185-FN**, certifying geologists. (Roberge et al)
New title: establishing a board of natural scientists study committee.
 42, am 101-102, psd 196, H conc 703, enr 1333 (Chapter 136)
- SB186-FN**, relative to a property tax lien for persons over 65. (Freese)
 43, K 242
- SB187-FN-A**, relative to drug and alcohol abuse treatment at the New Hampshire state prison and making an appropriation therefor. (Nelson et al)
 43, am 371-373, psd 414, H nonconc 664
- SB188-FN**, relative to investigating child abuse and neglect. (Podles et al)
 43, K 235-236

- SB 189**, relative to the study of New Hampshire commuter rail service. (Nelson et al)
43, am 184-185, psd 197, H conc 845, enr 1530 (Chapter 387)
- SB 190-FN**, permitting cities and towns to adopt a property tax exemption for buildings equipped with fire sprinkler systems. (Roberge et al)
43, K 180
- SB 191-FN-A**, relative to telecommunications devices for the deaf and making an appropriation therefor. (Nelson et al)
First new title: relative to telecommunications devices for the deaf.
Second new title: relative to telecommunications devices for the deaf and making an appropriation therefor.
43, am & Finance 285-286, am 351-353, psd 413, nonconc H am, conf 1383, 1412, rep adop 1479, 1485, enr 1530 (Chapter 413)
- SB 192-FN**, relative to certification of landscape architects. (Roberge et al)
43, am 187-190, psd 197, H nonconc 703
- SB 193**, relative to the removal of assistant secretaries of state. (Preston and Hough)
New title: relative to the appointment and removal of assistant secretaries of state, and relative to the appointment of a senior deputy secretary of state.
43, am 301-303, psd 312, H conc 1386, enr 1413 (Chapter 254)
- SB 194-FN**, establishing a real estate broker guaranty fund and repealing the requirement for real estate brokers' bonds. (King)
43, K 165
- SB 195-FN-A**, establishing a family support network for families caring for children or adult family members with disabilities at home and making an appropriation therefor. (Bond et al)
43, Finance 303, am 353-354, psd 414, conc H am 1334, enr 1414 (Chapter 255)
- SB 196-FN**, relative to bail reform. (Dupont)
New title: relative to bail.
44, am 178-179, psd 197, nonconc H am, conf 1382-1383, 1412, rep adop 1479, 1485, enr am 1537-1538, enr 1553 (Chapter 386)
- SB 197-FN**, transferring pipeline safety functions from the public utilities commission to the division of safety services. (Dupont)
New title: granting the bureau of fire safety the authority to regulate liquid propane gas pipeline safety.
44, am 218, psd 250, conc H am 611, enr 701 (Chapter 123)
- SB 198-FN**, repealing the anti-CWIP law. (Dupont)
44, study 373-374
- SB 199**, relative to the revocation or suspension of fish and game licenses. (Heath)
45, am 89-90, psd 196, H conc 564, enr 642 (Chapter 107)
- SB 200-FN-A**, relative to deductions for partnerships and proprietorships under the business profits tax. (Currier)
44, K 242-243
- SB 201-A**, relative to construction of a New Hampshire Route 10 bypass and making an appropriation therefor. (Blaisdell and Rep. Spear of Ches. 13)
44, LT 325, K 412
- SB 202-FN**, relative to foundation aid levels. (Nelson et al)
44, K 354
- SB 203-FN**, relative to employing minors enrolled in school. (Hough and Charbonneau)
44, am 256-257, psd 311, nonconc H am, conf 1383, 1412, rep adop 1479, 1485-1486, enr 1530 (Chapter 385)
- SB 204-FN-A**, relative to placements of children, and making supplemental appropriations to the division for children and youth services. (Dupont)
45, com vacated & K 356
- SB 205-FN-A**, relative to establishing the New Hampshire energy authority and making an appropriation therefor. (Dupont and Rep. Palumbo of Rock. 10)
46, am, LT & S Ct opin req (SR 2) 48-53, am (2 RC's) 460-475, psd 490, conc H am 1334, enr 1388 (Chapter 124)

SENATE CONCURRENT RESOLUTIONS

- SCR 1**, amending joint rule 4-A(b). (Krasker)
rules suspended, intro & adop 521-523, 524, H nonconc 846
- SCR 2-FN**, recognizing the importance of recycling. (Nelson et al)
44, adop 90, 196, H conc 610, enr 616

SCR 3, establishing a national veterans' cemetery in New England. (Preston)
44, adop 180, 197, H conc 564, enr 612

SENATE RESOLUTIONS

SR1, relative to an objective review and study of the structure and operation of the fish and game commission. (Heath)
44, com vacated & adop 439

SR2, requesting an opinion of the justices concerning the constitutionality of SB 205-FN-A. (Dupont)
intro & adop 52-53 (S Ct opin printed 131 N.H. 504)

SR3, requesting an opinion of the justices concerning the constitutionality of SB 45-FN. (Roberge)
intro & adop 71 (S Ct opin printed 131 N.H. 573)

SR4, requesting an opinion of the justices concerning the constitutionality of SB 144-FN. (Johnson)
intro & adop 192 (S Ct opin printed 131 N.H. 583)

SR5 requesting an opinion of the justices on the constitutionality of House Bill 637. (Podles)
intro & adop 730 (S Ct opin printed 131 N.H.)

SR6 urging Congress to enact remedial legislation against flag desecration. (Stephen et al)
intro & adop 1555-1557

HOUSE BILLS

HB 10, relative to legalizing the Conway Village Fire District meeting of March 30, 1987, and to supervisors of the checklist for the Conway annual town meeting.
New title: relative to supervisors of the checklist for the Conway annual town meeting.
313, am 477, psd 490, H conc 663, enr 701 (Chapter 112)

HB 11-FN-A, relative to the payment of a claim against the state and making an appropriation therefor.
455, psd 624-625, 644, enr 666 (Chapter 108)

HB 14, relative to legalizing town meetings.
313, am 500-501, psd 508, H conc 663, enr 701 (Chapter 113)

HB 15, repealing certain laws relative to measuring wood.
313, psd 495, 508, enr 558 (Chapter 47)

HB 16, relative to advertising potatoes.
313, psd 422-423, 441, enr 507 (Chapter 31)

HB 17, changing the language of the oath administered to petit jurors in criminal cases.
198, psd 433, 442, enr 489 (Chapter 5)

HB 18, decriminalizing adultery.
313, K 496-498, remarks by Sen. McLane 587

HB 19, regarding the use of the hazardous waste cleanup fund.
416, am & Finance 617-618, psd 785, 843, H conc 1386, enr 1406 (Chapter 222)

HB 20, authorizing investigators to photograph hazardous waste sites.
415, psd 423, 441, enr 489 (Chapter 6)

HB 24-FN-A, relative to the bicentennial commission.
455, psd 803, 843, enr 1387 (Chapter 183)

HB 27, prohibiting hunting in a specified portion of the town of Bow with any firearm other than a shotgun, muzzle loading rifle, or bow and arrow.
313, psd 458-459, 490, enr 507 (Chapter 32)

HB 28, prohibiting internal combustion engines on Willand Pond in the cities of Somersworth and Dover.
455, psd 678-679, 702, enr am 1331-1332, enr 1406 (Chapter 223)

HB 29, relative to liquor laws.
314, am 694-695, psd 702, H nonconc, conf 1395, rep adop 1416-1417, 1494, enr am 1547, enr 1553 (Chapter 320)

HB 31, recodifying the laws pertaining to the elderly.
415, psd 447, 453, enr 489 (Chapter 7)

HB 32-A, relative to the Hampton seawall and making an appropriation therefor.
561, psd 703-704, 761, enr 1332 (Chapter 137)

- HB 34**, correcting references in the law relating to the division of water resources.
456, psd 621, 643, enr 841 (Chapter 138)
- HB 36**, relative to library records confidentiality.
415, am 632-634, psd 644, H conc 840, enr 1387 (Chapter 184)
- HB 37**, relative to the taking of raccoons.
314, psd 459, 490, enr 507 (Chapter 33)
- HB 38**, increasing the legal length of lobster; establishing a lobster management program and creating an advisory committee.
314, am 505-507, psd 508, H conc 610, enr 642 (Chapter 78)
- HB 39**, relative to the distribution of OHRV fees.
561, am 731-733, psd 762, H conc 1404, enr 1495 (Chapter 282)
- HB 40**, relative to intrastate motor carriers.
456, am 578-579, psd 587, H conc 669, enr 1333 (Chapter 139)
- HB 41**, clarifying the authority of municipalities to form districts for the purpose of hiring municipal prosecutors.
313, rcmt 429-430, am 781, psd 842, H conc 1404, enr 1413 (Chapter 257)
- HB 42**, relative to actuarial review of rate filings.
313, am 1296-1297, psd 1335, H nonconc, conf 1398, rep adop 1418, 1494 (K)
- HB 43**, transferring the authority to regulate professional bondsmen from the insurance commissioner to the director of the office of securities regulation.
313, psd 430, 442, enr 489 (Chapter 8)
- HB 45**, to increase the age limit relative to the motor vehicle child restraint requirement.
314, am & LT 502-503, psd 1320-1321, 1336, H conc 1404, enr 1523 (Chapter 302)
- HB 46**, relative to applications for approval of plans for a waste disposal system which contain encroachment waiver requests.
418, psd 528, 560, enr 612 (Chapter 79)
- HB 50**, exempting the department of transportation, the department of safety, and the department of postsecondary vocational-technical education from the authority of the director of information services.
New title: exempting the department of transportation and the department of safety from the authority of the director of information services.
418, am 717-719, psd 761, H nonconc, conf 1397, 1414, rep adop 1418-1419, 1494, enr am 1536, enr 1550 (Chapter 321)
- HB 51**, relative to a vehicle width on certain highways.
420, psd 503, 508, enr 557 (Chapter 48)
- HB 52**, relative to rail accident reporting requirements.
198, psd 438, 442, enr 489 (Chapter 9)
- HB 53**, relative to syringes for diabetics.
416, psd 478, 490, enr 507 (Chapter 34)
- HB 54**, adding a member to water well board.
491, psd 572-573, 587, enr 616 (Chapter 80)
- HB 56-FN-A**, authorizing a collection program for unwanted pesticides in the possession of farmers and making an appropriation therefor.
615, rules suspended, am & Finance 831-832, psd 1279, 1335, H conc 1404, enr 1495 (Chapter 283)
- HB 57-FN-A**, appropriating funds to the department of agriculture to continue work on the Eastern States Building.
616, psd 785, 843, enr 1387 (Chapter 185)
- HB 58-FN-A** appropriating funds for inspection of apiaries and prevention of honeybee colony contamination.
616, rules suspended 831, Finance 832-833, psd 1279-1280, 1335, enr 1405 (Chapter 224)
- HB 59**, changing the name of the New Hampshire vocational-technical college education system.
314, am 774-776, psd 842, H conc 1386, enr am 1411, enr 1523 (Chapter 303)
- HB 60**, relative to pronouncement of death by nurses.
415, psd 435, 442, enr 489 (Chapter 10)
- HB 61**, relative to accessibility of vital records.
415, K 447-448
- HB 62-FN**, adding administrative fines to the laws relative to auctioning and shipping live-stock.
313, psd 423, 441, enr 489 (Chapter 11)

- HB 63-FN**, relative to equine infectious anemia.
313, psd 425, 441, enr 489 (Chapter 12)
- HB 64-FN**, relative to immunizing cats against rabies and licensing cats.
420, K 552
- HB 65-FN**, adding administrative fines to certain provisions of the agriculture laws.
313, psd 425, 441, enr 489 (Chapter 13)
- HB 66**, relative to health maintenance organizations.
455, am 592-594, psd 613, H conc 840, enr 1387 (Chapter 186)
- HB 67**, specifying the rulemaking authority of the commissioner and the directors of the department of environmental services.
456, K 1337
- HB 68**, relative to the director of water supply and pollution control.
418, K 496
- HB 69**, relative to highway vending facilities operated by the blind.
198, LT 579-582, K 1529
- HB 70-A**, establishing a study committee to examine the vocational education system.
New title: increasing the appropriation for constructing regional vocational education centers.
456, am 534-535, psd 560, H nonconc, conf 665, rep adop 1420-1421, 1494, enr 1550 (Chapter 322)
- HB 71**, relative to the department of education.
313, am 428-429, psd 442, H conc 525, enr 558 (Chapter 49)
- HB 74**, extending the time for the filing of a report by the municipal charter study committee.
313, psd 430, 442, enr 489 (Chapter 14)
- HB 77-FN**, relative to the pharmacy board.
456, rcmt 573, psd 1337, 1391, enr 1413 (Chapter 258)
- HB 80-FN**, relative to land under the jurisdiction of the wetlands board.
New title: relative to land under the jurisdiction of the wetlands board and relative to penalties of the wetlands board.
456, am 707-710, psd 761, H conc 1333, enr 1406 (Chapter 225)
- HB 81-FN**, relative to dam permitting authority.
420, rcmt 528, am 679-680, psd 702, H conc 1386, enr 1413 (Chapter 259)
- HB 82-FN**, relative to the police standards and training council.
New title: relative to police standards and training council and the fire standards and training commission.
561, am 719-720, psd 761, H conc 1386, enr 1414 (Chapter 260)
- HB 84-FN**, relative to employees of political subdivisions purchasing creditable service in the New Hampshire retirement system.
562, Finance 1297-1298, rules suspended & psd 1321, 1336, enr 1406 (Chapter 226)
- HB 85-FN**, relative to employer enrollment oversight and the New Hampshire retirement system and relative to eligibility for membership in the retirement system.
New title: relative to employer enrollment oversight and the New Hampshire retirement system, relative to eligibility for membership in the retirement system, and relative to a director of finance for the retirement system.
588, am 1366-1371, psd 1392, H nonconc, conf 1411, rep adop 1421-1422, 1494, enr 1550 (Chapter 323)
- HB 86-FN**, relative to employer remittances to the New Hampshire retirement system and relative to retirement contributions by certain legislative and constitutional officers.
588, K 720
- HB 87-FN**, relative to group II accidental disability allowances.
588, psd 1344, 1392, enr 1413 (Chapter 261)
- HB 88-FN**, relative to weights and measures.
616, rules suspended 831, am 832, psd 844, H conc 1415, enr am 1524-1525, enr 1530 (Chapter 324)
- HB 89-FN**, giving the division of water resources the authority to levy administrative fines for certain violations relating to dams.
416, psd 425-426, 441, enr 489 (Chapter 15)
- HB 91-FN**, relative to the New Hampshire technical institute and vocational-technical colleges.
588, psd 670, 701, enr 1332 (Chapter 140)

HB 92-FN, imposing liens on certain nursing homes.

418, rcmt 543, K 728

HB 93-FN, relative to the board of nursing.

491, am 573-575, psd 587, H conc 669, enr 841 (Chapter 141)

HB 94-FN, relative to pre-admission screening for nursing homes.

562, psd 650, 668, enr 1333 (Chapter 142)

HB 96-FN-A, increasing the personal needs allowance and making an appropriation therefor.

New title: increasing the personal needs allowance.

588, Finance 650, am 1280, psd 1335, H conc 1404, enr 1523 (Chapter 304)

HB 97-FN, relative to eligibility for public assistance.

415, psd 448-449, 453, enr 489 (Chapter 16)

HB 98-FN, reimbursing counties and towns for general assistance funds allocated to the cost of prescription drugs.

415, am 479-480, recon & Finance 481, am 677-678, psd 702, H conc 1386, enr 1406 (Chapter 227)

HB 99-FN, relative to establishing a uniform fine schedule for fish and game law violations.

313, psd 459-460, 490, enr am 612, enr 701 (Chapter 114)

HB 100-A, making appropriations for capital improvements.

615, am 846-864, psd 1335, H nonconc, conf 1384-1385, rep adop 1504-1515, 1522, enr 1550 (Chapter 367)

HB 101-FN, relative to budgetary transfer authority of the department of health and human services.

416, am 1325-1327, psd 1336, H nonconc, conf 1398, K 1529

HB 102-FN, relative to the department of libraries, arts and historical resources.

417, psd 444, 453, enr 507 (Chapter 35)

HB 103-FN, relative to motor vehicle laws.

615, am 810-813, psd 843, recon notice 845, recon, Finance & psd 1320, 1336, H conc 1404, enr 1523 (Chapter 305)

HB 104-FN, relative to common and contract carriers.

562, am 835-838, psd 844, H nonconc, conf 1411, rep adop 1422-1425, 1494, enr am 1539, enr 1552 (Chapter 325)

HB 107-FN, relative to food service licensure.

415, psd 449, 453, enr 489 (Chapter 17)

HB 109-FN, relative to physicians and dentists in the department of health and human services and the department of corrections.

616, rules suspended 1322, K 1324-1325

HB 110-FN, relative to low and moderate income housing.

417, psd 444-445, 453, enr 489 (Chapter 18)

HB 111, relative to moorings.

455, LT 680, am 695-700, psd 702, H conc 1404, enr 1495 (Chapter 284)

HB 112-FN, relative to enforcing the boating laws.

455, am 582-584, psd 587, H conc 669, enr 1332 (Chapter 143)

HB 113-FN, to define certain police trainers as permanent policemen for retirement system purposes.

615, psd 788, 843, enr 1388 (Chapter 187)

HB 114-FN, allowing the district courts to approve petitions for services other than counsel.

198, Finance 433-434, psd 678, 702, enr 1388 (Chapter 188)

HB 115-FN, reducing to a violation the misdemeanor offense of driving after revocation or suspension when it is a first offense and unrelated to DWI or reckless driving.

313, Finance 438, psd 785-786, 843, enr 1388 (Chapter 189)

HB 117-FN, relative to feeding garbage to swine.

456, am 680-681, psd 702, H nonconc, conf 1397, rep adop 1425-1426, 1494, enr 1551 (Chapter 326)

HB 118-FN, relative to collision damage waiver.

455, rcmt 576, am 715-717, psd 761, nonconc H conf req 1395

HB 119-FN, making technical changes in certain revenue statutes for the department of revenue administration.

455, psd 518-519, 524, enr 557 (Chapter 50)

- HB 120-FN**, increasing the amount available for suggestion and incentive awards to state employees.
615, am 782, psd 843, H conc 1386, enr 1406 (Chapter 228)
- HB 122-FN**, relative to concession contracts at certain state facilities.
313, psd 426, 441, enr 489 (Chapter 19)
- HB 123-FN**, relative to the office of securities regulation.
415, am 430-432, psd 442, H conc 663, enr 1333 (Chapter 144)
- HB 124-FN**, relative to the annual fee for issuers of open-end mutual funds and relative to fees charged for licenses of broker-dealers, investment advisors, and issuer-dealers.
415, psd 432, 442, enr 489 (Chapter 20)
- HB 125-FN**, relative to securities registration statements and rulemaking by the director of the office of securities regulation.
314, psd 432-433, 442, enr 489 (Chapter 21)
- HB 127-FN**, increasing fees for laboratory services.
562, K 670
- HB 128-FN**, authorizing the department of environmental services to impose administrative fines for hazardous waste management violations.
415, psd 426-427, 441, enr 489 (Chapter 22)
- HB 129-FN**, establishing fees for reviewing plans to dredge and creating new classified positions and making an appropriation therefor.
588, LT 764-765, psd 813, 844, enr 1388 (Chapter 190)
- HB 130-FN**, requiring certification of operators of pollution control facilities and relative to renewals of water works operator certificates.
418, psd 528-529, 560, enr 612 (Chapter 81)
- HB 131-FN**, relative to protective well radii for private water wells.
418, psd 565, 587, enr am 759, enr 1388 (Chapter 191)
- HB 132-FN**, relative to the division of water supply and pollution control enforcement orders.
421, psd 529, 560, enr 612 (Chapter 82)
- HB 134-FN**, relative to the deaf and hard of hearing.
314, am 435-436, psd 442, H conc 525, enr 558 (Chapter 51)
- HB 135**, relative to school administration.
417, LT 535, am & Finance 566-572, psd 1280-1283, 1335, H nonconc 1404
- HB 136-FN-A**, relative to education in unorganized places.
588, am 776, psd 842, H conc 1386, enr 1413 (Chapter 262)
- HB 138-FN**, providing for a supportive employment program and for an independent living program.
New title: providing for a supported employment program and for an independent living program.
419, am 535-536, psd 560, H conc 663, enr am 758, enr 1332 (Chapter 145)
- HB 140-FN**, relative to delinquent children and children in need of services.
417, am 499, psd 508, H conc 1386, enr 1495 (Chapter 285)
- HB 141-FN**, relative to liability for expenses.
415, rcmt 434, K 475
- HB 142-FN**, relative to liability of expenses for the support and necessities of minors.
313, rcmt 434, am 475-477, psd 490, H conc 840, enr 1405 (Chapter 229)
- HB 144-FN-A**, relative to minor mothers and their infants and making an appropriation therefor.
New title: relative to minor mothers and their infants.
314, Finance 436-437, psd 678, 702, enr am 1390, enr 1495 (Chapter 286)
- HB 145-FN**, relative to children and youth services.
314, Finance 437, psd 670-671, 701, enr 1332 (Chapter 146)
- HB 146-FN**, relative to the milk standard.
415, am 681-682, psd 702, H nonconc, conf 1397, rep adop 1426-1427, 1494, enr 1550 (Chapter 327)
- HB 147-FN**, relative to commercial driver licensing.
491, Finance 584-585, am 786, psd 843, H conc 1386, enr am 1525-1526, enr 1530 (Chapter 319)
- HB 148-FN**, relative to relocation assistance and real property acquisition.
419, am 510-511, psd 524, H conc 563, enr am 642-643, enr 760 (Chapter 147)

- HB 150-FN**, authorizing the imposition of administrative fines for certain oil pollution control offenses and clarifying terminology in oil pollution control laws.
421, am 618-619, psd 643, H conc 840, enr 1405 (Chapter 230)
- HB 151-FN-A**, continually appropriating revenue from certain OHRV fines.
419, psd 529, 560, enr 642 (Chapter 83)
- HB 152**, legalizing a special town meeting of the town of Littleton.
intro & psd 27, enr 28 (Chapter 1)
- HB 154**, limiting the horsepower of motors on Upper Kimball Pond in the town of Chatham.
491, psd 529, 560, enr 612 (Chapter 84)
- HB 155**, relative to correcting an error in the March 10, 1987, Hooksett school district election ballot.
New title: relative to correcting defects in the March 10, 1987 Hooksett school district election ballot and the March 14, 1989 Marlborough town meeting.
415, am 691-693, psd 702, H conc 840, enr 1388 (Chapter 192)
- HB 157-FN-A**, relative to state ski operations at Mount Sunapee and Cannon Mountain and making an appropriation therefor.
588, Finance 765, psd 1283-1284, 1335, enr 1405 (Chapter 231)
- HB 159**, repealing certain railroad bridge requirements.
415, psd 481, 490, enr 558 (Chapter 52)
- HB 160-FN**, to repeal the state recreational fund.
314, psd 427, 442, enr 489 (Chapter 23)
- HB 161**, extending the illiteracy and dropout prevention legislative study committee.
314, psd 429, 442, enr 489 (Chapter 24)
- HB 163**, concerning certain labor laws.
421, psd 496, 508, enr 557 (Chapter 53)
- HB 166-FN-A**, relative to capital projects for the department of fish and game and authorizing a maintenance and construction crew for the fish and game department and making an appropriation therefor.
588, psd 704, 761, enr 1332 (Chapter 148)
- HB 167-FN**, relative to taking or acquisition of condominium common areas by eminent domain.
417, am 501-502, psd 508, H conc 663, enr 760 (Chapter 149)
- HB 172-FN**, relative to distribution of sweepstakes revenue.
314, K 438-439
- HB 173-FN-A**, relative to the dedication of the Hampton State Beach lifeguard facility and making an appropriation therefor.
588, com changed 642, am 763-764, psd 842, H conc 1386, enr 1406 (Chapter 232)
- HB 175**, relative to bail commissioners' fees.
455, am 576, psd 587, H conc 669, enr 1333 (Chapter 150)
- HB 176-FN**, requiring certificates of title for vehicles owned by the state and political subdivisions.
421, psd 503-504, 508, enr 557 (Chapter 54)
- HB 177**, authorizing local authorities to reduce the speed limit in business and urban residence districts.
455, LT 585, am 654-655, psd 668, H conc 1405, enr 1523 (Chapter 306)
- HB 178-FN**, relative to continuing the study committee reviewing the liquor laws.
314, Finance 439, psd 671, 702, enr 1332 (Chapter 151)
- HB 182-FN**, reclassifying certain highways in the towns of Carroll and Belmont.
314, am 450, psd 453, H conc 525, enr 558 (Chapter 55)
- HB 184**, relative to driving left of center of roadways.
455, psd 585, 587, enr 616 (Chapter 85)
- HB 185**, clarifying the department of transportation's authority in maintaining and operating rail operations.
415, psd 481-482, 490, enr 507 (Chapter 36)
- HB 186-FN**, allowing free hunting and fishing licenses for residents suffering from certain handicaps.
417, psd 428, 442, enr 489 (Chapter 25)
- HB 187**, relative to the rulemaking authority of the board of medicine.
419, rcmt 445-446, am 689-691, psd 702, H conc 1387, enr 1406 (Chapter 233)

- HB 189-FN**, increasing the minimum wage law.
421, psd 552-553, 561, enr 612 (Chapter 86)
- HB 197-FN**, to reclassify portions of certain highways in the town of Seabrook.
415, am 504, psd 508, H conc 525, enr 558 (Chapter 56)
- HB 200-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 1990, and June 30, 1991.
615, am 867-1278, psd 1335, H nonconc, conf 1385, rep adop 1498-1503, 1522, enr am 1539-1540, enr 1551 (Chapter 365)
- HB 201**, relative to protective custody of abused or neglected animals.
415, psd 495, 508, enr 557 (Chapter 57)
- HB 203**, regarding copying costs of public documents.
314, K 434-435
- HB 205**, relative to continuing care communities.
314, psd 437-438, 442, enr 489 (Chapter 26)
- HB 206**, prohibiting the use and operation of petroleum-powered boats on Bradley Lake in the town of Andover.
New title: prohibiting boats with more than 30 horsepower from operating on Bradley Lake in Andover.
455, LT 530, am 531-534, psd 560, H nonconc, conf 1385, rep adop 1427, 1494, enr am 1534, enr 1551 (Chapter 328)
- HB 207**, prohibiting the use and operation of petroleum-powered boats on Waukeena Lake in the town of Danbury.
491, psd 530, 560, enr am 758-759, enr 1332 (Chapter 152)
- HB 209-FN**, establishing a committee to study the accessibility of nursing home care.
419, am 556, psd 561, H conc 669, enr 841 (Chapter 153)
- HB 210-FN-A**, relative to improvements in fire protection for the state house, phase II and III.
New title: relative to improvement in fire protection for the state house, phase II and III and making an appropriation therefor.
562, psd 704-705, 761, enr am 1331, enr 1406 (Chapter 234)
- HB 212**, relative to the board of chiropractors.
421, psd 460, 490, enr 507 (Chapter 37)
- HB 213-FN**, relative to water tests for private wells.
419, study 803
- HB 215-FN-A**, relative to fish and game search and rescue.
589, K 671-673
- HB 218**, permitting a person to be the candidate for only one party.
456, LT 721-722, K 751-754
- HB 219-FN**, relative to filing deeds and instruments with the register of deeds.
417, psd 634, 644, enr 760 (Chapter 154)
- HB 221**, exempting health care facilities and personnel from liability when performing medical procedures at the request of a law enforcement officer investigating a crime.
419, am 631-632, psd 644, H conc 840, enr 1388 (Chapter 193)
- HB 222**, limiting horsepower of motors on Indian Pond in the town of Orford.
New title: limiting the speed of power boats on Indian Pond in the town of Orford.
455, am 530-531, psd 560, H nonconc, conf 1385, rep adop 1427-1428, 1494, enr am 1534-1535, enr 1551 (Chapter 329)
- HB 223-FN**, relative to investment of state funds in corporations doing business in Northern Ireland.
421, psd 511-514, 524, enr 557 (Chapter 46)
- HB 226-A**, relative to state-issued bonds for college tuition.
562, am 776-778, psd 842, H conc 1387, enr am 1534, enr 1530 (Chapter 394)
- HB 228**, permitting independent voters to vote in a primary and change their registration back to independent on the same day of the primary.
417, K 577
- HB 232**, relative to authorizing the prepayment of taxes.
417, LT 608, am 655-663, psd 668, H conc 840, enr 1332 (Chapter 155)
- HB 237**, relative to eviction of tenants with AIDS.
455, psd 650-651, 668, enr 841 (Chapter 156)
- HB 238**, permitting competent adults to nominate their own guardians in case of future incapacity.
455, LT 543, am 801-803, psd 843, H conc 1387, enr 1406 (Chapter 235)

- HB 239**, relative to legalizing town meetings.
415, psd 693-694, 702, enr am 1390, enr 1495 (Chapter 287)
- HB 240-FN-A**, establishing a shooting range study committee.
589, psd 765-766, 842, enr 1388 (Chapter 194)
- HB 241-FN**, relative to purchasing airports, establishing airport districts, authorizing airport property tax base sharing agreements, and clarifying certain statutes relative to aeronautics.
419, psd 526-527, 560, enr 666 (Chapter 111)
- HB 244-FN**, allowing museums to obtain title to property loaned for an indefinite time.
455, psd 542, 560, enr 612 (Chapter 87)
- HB 246-FN**, relative to allowing UMTA federal funds to be carried over from one state fiscal year to the next.
415, psd 433, 442, enr 489 (Chapter 27)
- HB 247-FN**, relative to the transfer of funds for turnpikes from the general reserve account.
416, psd 458, 490, enr 558 (Chapter 58)
- HB 248-FN**, establishing a study committee on deinstitutionalization in New Hampshire.
457, K 518
- HB 250-FN**, relative to the classified personnel system.
616, rules suspended 1322, Com 1323-1324
- HB 251-FN-A**, establishing a committee to study methods of promoting New Hampshire businesses and products overseas and making an appropriation therefor.
616, am 1302, psd 1336, H conc 1405, enr 1523 (Chapter 307)
- HB 254-FN**, establishing a study committee to examine issues relative to the great ponds in the White Mountain National Forest, access to public waters, and control and maintenance of public boat ramp sites.
457, psd 531, 560, enr am 611-612, enr 666 (Chapter 109)
- HB 258-FN**, increasing the cap on the revolving drug forfeiture fund.
421, K 1302
- HB 259-FN**, permitting selectmen to set fees.
417, LT 446, 451, psd 488, 490, enr 507 (Chapter 38)
- HB 260-FN**, relative to distribution of catastrophic aid.
New title: relative to salaries within the department of education.
421, am 1343-1344, psd 1392, H nonconc, conf 1398, rep adop 1428-1429, 1494, enr am 1540, enr 1551 (Chapter 330)
- HB 261-FN**, relative to dog licenses.
417, am 634-635, psd 644, H conc 840, enr 1332 (Chapter 157)
- HB 262-FN**, extending the reporting date for the committee to study the juvenile justice system and juvenile delinquency and establishing a joint oversight committee and related committees to study issues regarding children.
491, am 793-794, psd 843, H nonconc, conf 1398, 1414, rep adop 1430-1434, 1494, enr 1552 (Chapter 395)
- HB 264-FN**, prohibiting the distribution, sale, possession or use of anabolic steroids except for purposes of medical treatment.
491, psd 728, 762, enr 1388 (Chapter 195)
- HB 267-FN**, relative to vicious dogs.
457, am 543-544, psd 561, H conc 663, enr 760 (Chapter 158)
- HB 270-FN-A**, relative to motorcycle safety, establishing a motorcycle rider safety fund, and making a continual appropriation therefor.
455, Finance 557, am 673-675, psd 702, H nonconc, conf 1397, rep adop 1434-1435, 1494, enr am 1550, enr 1553 (Chapter 331)
- HB 271-FN**, relative to fish and game license fees.
562, psd 683-685, 702, enr 1332 (Chapter 159)
- HB 272-FN**, relative to Pike's school in Haverhill, New Hampshire.
417, am 443, psd 453, H conc 525, enr 558 (Chapter 59)
- HB 273-FN**, authorizing the transfer of sick and annual leave and longevity credit for certain state employees.
New title: authorizing the transfer of sick and annual leave and longevity credit for certain state employees, relative to certain salaries and relative to the department of administrative services.
455, am 1337-1340, psd 1392, H nonconc, conf 1398-1399, rules suspended & rep adop (RC) 1435-1444, 1494, enr am 1547-1548, enr 1553 (Chapter 396)

- HB 277-FN**, to prohibit after market tinting on windshields and on certain windows of motor vehicles.
491, psd 637-638, 644, enr 760 (Chapter 160)
- HB 279-FN-A**, relative to the purchase of the Ralph Brown property in Rye and making an appropriation therefor.
562, Finance 685, psd 786-787, 843, enr 1388 (Chapter 196)
- HB 285-FN**, relative to liens on real property for hazardous waste cleanup costs.
421, psd 502, 508, enr 557 (Chapter 60)
- HB 288-FN**, relative to penalties for aggravated DWI and for negligent homicide.
New title: relative to penalties for aggravated DWI, negligent homicide, and possession of controlled drugs.
419, am 544-546, psd 561, H nonconc, conf 665, 1414, rep adop 1444-1445, 1494, enr 1551 (Chapter 415)
- HB 289**, relative to stumps, leaves, and yard waste.
491, am 710-712, psd 761, H conc 1387, enr am 1408-1409, enr 1495 (Chapter 288)
- HB 290-FN-A**, to modernized the automation activities of the department of revenue administration and making an appropriation therefor.
New title: to recognize that the automation activities of the department of revenue administration should be modernized.
616, am 675-676, psd 702, H conc 1387, enr 1406 (Chapter 236)
- HB 291-FN-A**, relative to the real estate transfer tax.
526, psd 737-739, 762, enr 1388 (Chapter 197)
- HB 292-FN**, extending the study and evaluation of state Route 101A corridor in the Nashua region.
419, psd 527, 560, enr 666 (Chapter 110)
- HB 298-FN**, relative to the statute of limitations for actions against governmental units.
419, am 500, psd 508, H conc 663, enr 760 (Chapter 161)
- HB 300-FN-A**, relative to studying access to medical care for persons without health insurance and making an appropriation therefor.
615, am 687-688, am 1284-1285, psd 1335, H conc 1405, enr am 1492, enr 1530 (Chapter 332)
- HB 302-FN**, relative to the setting of the deer season.
457, psd 531, 560, enr 612 (Chapter 88)
- HB 305-FN-A**, amending the 10-year highway plan.
589, psd 705, 761, enr am 1390-1391, enr 1495 (Chapter 289)
- HB 313**, relative to Carroll county attorney.
457, am 635, psd 644, H conc 840, enr 1332 (Chapter 162)
- HB 314**, relative to expanded polystyrene in the construction of houses.
419, K 516
- HB 316**, relative to notice to abutters.
314, psd 438, 442, enr 489 (Chapter 28)
- HB 320-FN-A**, relative to the penalty for overdue payments under the interest and dividends tax.
455, psd 519, 524, enr 557 (Chapter 61)
- HB 323**, relative to payment of costs of bank examinations.
New title: relative to bank examinations and mutual holding company conversions.
491, am 564-565, psd 587, H conc 1333, enr 1332 (Chapter 163)
- HB 324**, relative to posted school zones.
491, am 585-586, psd 587, H conc 669, enr 1332 (Chapter 164)
- HB 325**, relative to disciplinary actions against veterinarians.
455, psd 509, 523, enr 557 (Chapter 62)
- HB 327-FN-A**, relative to the rate of the real estate transfer tax.
526, am 813-822, psd 844, H nonconc, conf 1396, 1414, rep adop 1446-1447, 1494, enr 1551 (Chapter 416)
- HB 330-FN-A**, relative to exemption from the gasoline tax and state license plates.
491, psd 823, 844, enr 1388, veto sustained (RC) 1515-1520
- HB 332-FN-A**, relative to the collection and reclamation of motor vehicle wastes.
421, am 712-713, psd 761, H conc 1387, enr 1413 (Chapter 263)
- HB 336**, relative to senior citizens' bingo games.
419, psd 444, 453, enr 489 (Chapter 29)

- HB 338**, relative to the authority of the Hillsborough county convention to employ a delegation coordinator.
419, psd 516, 524, enr 557 (Chapter 63)
- HB 341-FN**, relative to cosmetologists and pedicurists.
419, K 647-648
- HB 345**, relative to interference with hunters, trappers and fishermen.
419, LT 495-496, am 1374-1375, psd 1392, H conc 1415, enr 1523 (Chapter 308)
- HB 350-FN**, relative to the unclassified personnel system and making an appropriation for a consultant fee.
615, rules suspended & Com 1322-1323
- HB 351**, relative to special permits for the use of crossbows by physically handicapped persons.
417, K 443-444
- HB 353**, prohibiting the use and operation of ski craft on Canaan Street Lake in the town of Canaan.
455, LT 864-865, psd 1379-1380, 1392, enr am 1493, enr 1530 (Chapter 333)
- HB 354-FN-A**, making an appropriation to fund improvements in Cardigan State Park.
562, psd 705, 761, enr 1389 (Chapter 198)
- HB 359**, relative to statements of minors in civil cases.
416, psd 446, 453, enr 489 (Chapter 30)
- HB 365**, relative to automobile transporters.
492, psd 638-640, 644, enr 701 (Chapter 115)
- HB 367**, relative to damages for wrongful death.
417, K 546-550
- HB 369**, relative to assumption of a town office after a recount.
416, am 478, psd 490, H conc 664, enr 701 (Chapter 116)
- HB 370-FN**, relative to collision coverage deductibles.
492, psd 628-629, 644, enr 701 (Chapter 117)
- HB 371-FN-A**, relative to licensing respiratory care practitioners and making an appropriation therefor.
562, Finance 782-783, am 1285-1286, psd 1335, H nonconc, conf 1397, rep adop 1447-1448, 1494, enr am 1540-1541, enr 1553 (Chapter 334)
- HB 373-FN**, relative to the use of automatic telephone dialing systems.
457, am 553, psd 561, H conc 669, enr 1332 (Chapter 165)
- HB 374-FN-A**, relative to the Head Start program and making an appropriation therefor.
616, am & Finance 778-779, am 1286-1287, psd 1335, nonconc H conf req 1395
- HB 375-FN**, relative to long-term care insurance for the elderly.
456, psd 629, 644, enr am 759-760, enr 1332 (Chapter 166)
- HB 376-FN**, licensing physician assistants.
562, am 783-784, psd 843, H conc 1387, enr am 1408, enr 1495 (Chapter 290)
- HB 377**, relative to a statement of policy on pregnancy and repealing criminal penalties for persons performing abortions.
457, (RC) 594-608, 613, enr 617, H sustained veto 642
- HB 384-FN**, establishing a task force to review the recommendations of the Manchester airport and highway study.
457, am 527-528, psd 560, H nonconc, conf 665, rep adop 1448-1449, 1494, enr 1551 (Chapter 335)
- HB 385-FN-A**, making appropriations for vacation travel promotion and increasing the rate of the tobacco tax.
New title: to tax all forms of tobacco products.
589, am 741-748, psd 762, H nonconc, conf 1396, rep adop 1449-1452, 1494, enr 1551 (Chapter 336)
- HB 386-FN-A**, relative to improving the financial status of impoverished children.
615, am & Finance 805-806, K 1287
- HB 389-FN**, enabling cities and towns to increase the veterans' exemption and the property tax exemption on residential property for a service-connected total disability.
419, psd 516-517, 524, enr 557 (Chapter 64)
- HB 394-FN-A**, establishing a state energy response commission.
New title: establishing a state emergency response funding committee and relative to hazardous materials incident response.
616, am 1340-1342, psd 1392, H conc 1415, enr 1523 (Chapter 309)

- HB 396-FN**, relative to the board of examiners of nursing home administrators and to licensing nursing home administrators.
562, Finance 651-652, psd 1287-1288, 1335, enr am 1492-1493, enr 1551 (Chapter 337)
- HB 397-FN**, relative to composition of the dental board.
562, am 722-723, psd 761, H conc 1387, enr 1406 (Chapter 237)
- HB 398-FN-A**, relative to the return of revenue to cities and towns and making appropriations therefor.
615, K 723-725
- HB 401-FN**, imposing a filing fee for registration of securities by coordination.
492, am 590-591, psd 613, H conc 840, enr 1332 (Chapter 167)
- HB 402-FN**, relative to the state archivist.
456, psd 509, 523, enr 557 (Chapter 65)
- HB 408-FN-A**, relative to a study of the highways in Sullivan and Cheshire counties.
417, psd 504-505, 508, enr 557 (Chapter 66)
- HB 410-FN-A**, relative to nursing scholarships and making an appropriation therefor.
New title: relative to nursing scholarships.
616, Finance 779, am 1288, psd 1335, H conc 1405, enr 1523 (Chapter 310)
- HB 414-FN-A**, relative to the sale or exchange of beneficial interests in business organizations for business profits tax purposes.
526, psd 739, 762, enr 1332 (Chapter 168)
- HB 422-FN-A**, relative to increasing the rate of the business profits tax, and relative to establishing a committee to study the business profits tax.
526, am 823-824, psd 844, recon notice 845, recon & K 1278-1279
- HB 428**, regarding the licensing of funeral directors.
492, psd 1342, 1392, enr 1413 (Chapter 264)
- HB 429-FN-A**, relative to Medicaid expansion for low-income pregnant women and establishing a task force on low provider participation in Medicaid.
New title: establishing a task force on low provider participation in Medicaid.
615, am & Finance 736-737, am 1288-1291, psd 1335, H conc 1405, enr 1495 (Chapter 291)
- HB 433-FN-A**, relative to a pool for environmental liability insurance and making an appropriation therefor.
615, am & Finance 788-789, psd 1291, 1335, H conc 1405, enr 1523 (Chapter 311)
- HB 434-FN-A**, relative to franchising and regulation of cable television systems and making an appropriation therefor.
615, am 838-840, psd 844, H nonconc, conf 1399, rep adop 1452-1453, 1494, enr 1552 (Chapter 338)
- HB 436-FN-A**, relative to sewage treatment funds and making an appropriation therefor.
589, Finance 766-767, study 1291
- HB 439-FN-A**, making an appropriation to the office of alcohol and drug abuse prevention and establishing a committee to review the expenditure of funds by such office.
589, K 739-741
- HB 441-FN**, relative to bingo games conducted by charitable organizations.
421, K 519
- HB 445**, recodifying certain water laws.
457, am 621-624, psd 643, H conc 840, enr 1551 (Chapter 339)
- HB 449-FN**, relative to civil suits against municipal officials.
492, psd 730, 762, enr 1332 (Chapter 169)
- HB 454-FN**, relative to the interest due on property tax bills.
419, psd 450-451, 453, enr 507 (Chapter 39)
- HB 455-FN**, relative to appeals in child abuse or neglect cases.
417, psd 447, 453, enr 507 (Chapter 40)
- HB 456-FN**, changing the due date for county taxes.
419, psd 517, 524, enr 557 (Chapter 67)
- HB 457**, relative to municipal regulation of forestry.
457, am 608-609, psd 613, H conc 669, enr 760 (Chapter 170)
- HB 458**, granting degree-granting authority to the Thomas More Institute of Liberal Arts.
421, psd 536, 560, recalled, recon & am 611, psd 613, H conc 669, enr 761 (Chapter 118)

- HB 459**, authorizing the Lamprey solid waste cooperative to borrow funds and issue municipal bonds for the purpose of construction of a landfill.
310, rules suspended, am & psd 314-315, H conc 404, enr 418 (Chapter 2)
- HB 460-FN**, relative to notice that tax payments may be due under the interest and dividends tax.
421, psd 519, 524, enr 557 (Chapter 68)
- HB 463**, excluding credit life and health companies from the 30-day premium return requirement.
492, K 688
- HB 464**, relative to sons and daughters of members of charitable organizations assisting with bingo games.
492, am 748-751, psd 762, H nonconc, conf 1396, rep adop 1453-1454, 1495, enr 1552 (Chapter 340)
- HB 465**, changing the name of the solid waste management council.
492, psd 767, 842, recon notice 845, recon & am 1364-1366, psd 1392, H conc 1415, enr am 1526, enr 1530 (Chapter 341)
- HB 467**, relative to discharges of mortgages.
456, com changed 495, am 591, psd 613, H conc 840, enr 1332 (Chapter 171)
- HB 471**, regarding review of developments which may have regional impact.
456, K 514
- HB 472**, relative to appeals to the zoning board of adjustment.
457, psd 517, 524, enr 558 (Chapter 69)
- HB 473**, relative to building codes in municipalities.
457, psd 517-518, 524, enr 558 (Chapter 70)
- HB 475**, requiring the full legal name of persons on ballots and on checklists.
New title: permitting a candidate to designate the form in which his name shall be printed on the ballot and relative to the form of state general election ballots.
419, am 1306-1310, psd 1336, H conc 1405, enr 1523 (Chapter 312)
- HB 476**, relative to holding special meetings concerning emergency expenditures for towns, village districts, and school districts.
457, am 553-555, psd 561, H conc 669, enr 1333 (Chapter 172)
- HB 477**, relative to housing standards ordinances.
456, psd 577, 587, enr 612 (Chapter 89)
- HB 484**, relative to checkout procedures after votes are cast.
419, psd 518, 524, enr 558 (Chapter 71)
- HB 486-FN**, relative to clearing land and cutting timber.
492, am & Finance 713-714, psd 1291-1292, 1335, H conc 1405, enr 1523 (Chapter 313)
- HB 487**, relative to grandparents' rights.
492, LT 794-795, am 1375-1377, psd 1392, H conc 1415, enr 1523 (Chapter 314)
- HB 488**, relative to regional cooperation on solid waste disposal.
456, psd 619-620, 643, enr am 1535, enr 1551 (Chapter 342)
- HB 489**, relative to utility easements.
492, psd 555, 561, enr 612 (Chapter 90)
- HB 492**, relative to recreational campgrounds and camping parks.
420, rcmt 591-592, am 767-769, recon & am 822, psd 842, recon notice 845, recon, am & psd 865-867, H conc 1416, enr 1530 (Chapter 343)
- HB 493**, relative to insurance premium refunds.
492, am 630, psd 644, H conc 840, enr 1332 (Chapter 173)
- HB 494**, relative to the transition period for a new state treasurer and a new secretary of state.
420, LT 446, am & psd 451-453, H conc 526, enr 558 (Chapter 72)
- HB 497**, relative to financial responsibility for hazardous waste accidents.
457, psd 542-543, 560, enr 612 (Chapter 91)
- HB 498**, relative to publication of information on certain juvenile offenders.
420, am 550, psd 561, H conc 670, enr 1333 (Chapter 174)
- HB 499**, relative to administration of medications to clients receiving services in the state mental health system.
420, psd 480, 490, enr 507 (Chapter 41)

- HB 502**, relative to disclosure of mental health information.
456, am 652-653, psd 668, H nonconc, conf 1398, rep adop 1454-1455, 1495, enr 1552 (Chapter 344)
- HB 503**, relative to business and voluntary corporations.
New title: relative to business and voluntary corporations and reinstating the charters of S.P.B., Inc. and Jefferson, Currier & Company, Inc.
457, am 1310-1311, psd 1336, H conc 1404, enr 1495 (chapter 256)
- HB 505**, relative to speed limits on state roads in towns.
492, psd 640-641, 644, enr 1333 (Chapter 175)
- HB 507-FN**, relative to child care.
417, psd 449-450, 453, enr 507 (Chapter 42)
- HB 509-FN**, authorizing industrial development financing for the Manchester Airport.
457, am 705-707, psd 761, H conc 1333, enr am 1407, enr 1414 (Chapter 265)
- HB 511**, relative to medical records.
421, psd 480, 490, enr 507 (Chapter 43)
- HB 512**, relative to zoning ordinance protest petitions.
417, psd 444, 453, enr 507 (Chapter 44)
- HB 516-FN**, relative to illegal dumping of garbage.
492, am 714, psd 761, H conc 1387, enr am 1410-1411, enr 1495 (Chapter 292)
- HB 518-FN**, establishing a cost containment unit within the department of administrative services to administer the indigent defense eligibility and repayment program and making an appropriation therefor.
615, rules suspended, am & Finance 833-835, am 1292-1295, psd 1335, H conc 1416, enr am 1548, enr 1553 (Chapter 345)
- HB 521-FN**, regarding a state loan for the Monroe sewage treatment facility.
589, psd 676-677, 702, enr 1333 (Chapter 176)
- HB 523**, relative to a privilege for confidential communications between guardian ad litem and child.
420, am 515, psd 524, H conc 563, enr 617 (Chapter 92)
- HB 528**, relative to learners' permits.
492, LT 641-642, am 666-668, psd 668, H conc 1416, enr 1523 (Chapter 315)
- HB 531-FN**, relative to the powers and duties of county commissioners in unincorporated towns and unorganized places.
457, psd 575-576, 587, recon notice 590, recon & am 653-654, psd 668, H conc 840, enr am 1407-1408, enr 1414 (Chapter 266)
- HB 532-FN**, establishing a committee to study the revenue structure in New Hampshire.
526, rcmt 751, psd 824, 844, enr 1406 (Chapter 199)
- HB 533-FN**, relative to the custody and impoundment of certain dogs.
457, K 577-578
- HB 534-FN**, relative to bottled water.
492, K 578
- HB 536-FN**, relative to technical changes in the unemployment compensation law and to changes in the maximum weekly benefit amount.
492, rcmt 688, psd 1298, 1335, enr 1413 (Chapter 267)
- HB 537-FN**, authorizing the town of North Hampton to collect taxes for one 18-month accounting period.
457, psd 555, 561, enr 612 (Chapter 93)
- HB 546-FN**, relative to the water protection assistance program.
New title: relative to the water protection assistance program and relative to the closure of shellfish flats on the seacoast.
456, psd 769, recon & LT 810, am 1377-1379, psd 1392, H conc 1416, enr am 1526, enr 1530 (Chapter 346)
- HB 553**, relative to the Wentworth-Douglass Hospital charter.
457, am 609-610, psd 613, H conc 670, enr 1333 (Chapter 177)
- HB 554**, relative to the advisory council on the sale and fitting of hearing aids.
456, psd 509-510, 524, enr 558 (Chapter 73)
- HB 556**, relative to the board of governors, and administrative board, and the commissioner of the department of postsecondary vocational-technical education.
589, study 779-780, recon notice 844, recon & am 1354-1356, psd 1392, H conc 1416, enr am 1524, enr 1530 (Chapter 397)

- HB 561**, relative to the protection of public funds.
492, K 763, recon notice 844, recon & am 1356-1364, psd 1392, H nonconc 1415
- HB 562-FN**, making technical changes in the election laws.
492, Com 803
- HB 565**, relative to the state board of education.
492, psd 536, 560, enr 612 (Chapter 94)
- HB 570-FN-A**, establishing a forgivable teaching loan program and making an appropriation therefor.
616, Finance 780, K 1295-1296
- HB 571-FN**, establishing standards for mediators.
457, am 795-796, psd 843, H conc 1387, enr am 1407, enr 1414 (Chapter 268)
- HB 574-FN**, relative to licensure of mental health professionals.
562, K 687
- HB 578-FN**, relative to victim's assistance and compensation.
New title: relative to victims' assistance and making an appropriation therefor
615, com changed 642, am & Finance 806-810, LT 1296, am 1311-1312, psd 1336, H nonconc, conf 1396, rep adop 1455-1458, 1495, enr am 1548-1550, enr 1553 (Chapter 417)
- HB 579-FN**, permitting certain policemen and firemen to join the New Hampshire retirement system.
562, Finance 1298, rules suspended 1321, psd 1322, 1336, enr 1405 (Chapter 238)
- HB 582-FN**, relative to a committee to review surface water use restrictions on the public waters of the state.
New title: dedicating the state police barracks in Milford to Major John T. Conti, Sergeant Roger Hilton, and Sergeant William Smith.
457, am 769-770, psd 842, H nonconc, conf 1399, rep adop 1458, 1495, enr 1551 (Chapter 347)
- HB 584-FN**, relative to bad checks.
421, rcmt 550-551, am 796, psd 843, H conc 1387, enr 1413 (Chapter 269)
- HB 586-FN**, relative to siting and permitting of solid and hazardous waste disposal facilities.
New title: relative to siting and permitting of solid and hazardous waste disposal facilities, to forfeiture of property for solid waste management violations, and to low-level radioactive waste management.
417, am 770-773, psd 842, H conc 1416, enr am 1527-1528, enr 1551 (Chapter 398)
- HB 587-FN**, relative to license plates and decals for relatives of handicapped persons.
New title: relative to special number plates for persons with walking disabilities.
492, am 733-734, psd 762, H conc 1404, enr 1523 (Chapter 316)
- HB 590-FN**, relative to submitting municipal financial reports to the department of revenue administration.
420, psd 803-804, 843, enr am 1535-1536, enr 1551 (Chapter 399)
- HB 593-FN**, relative to collective bargaining.
458, K 1342-1343
- HB 594-FN**, to reinstate medical and surgical benefits for certain retired employees.
New title: to reinstate medical and surgical benefits for certain retired employees and relative to health care coverage for retired employees of political subdivisions.
616, am 789-792, psd 843, H nonconc, conf 1399, rep adop 1458-1459, 1495, enr 1552 (Chapter 348)
- HB 595-FN**, to permit teachers who relocate to New Hampshire to purchase their out-of-state service as creditable service in the New Hampshire retirement system.
562, am & Finance 1298-1299, rules suspended & psd 1321, 1336, H conc 1404, enr 1523 (Chapter 317)
- HB 605**, relative to a recycling logo.
492, am 686-687, psd 702, H conc 1416, enr 1524 (Chapter 318)
- HB 606-FN**, relative to approvable plans for solid waste management districts.
492, LT 773, am 1312-1315, psd 1336, H conc 1404, enr 1495 (Chapter 293)
- HB 608-FN**, establishing a study committee to examine the procedures of siting, licensing and operation of energy related facilities.
458, am 725-726, psd 761, H conc 1387, enr 1405 (Chapter 239)
- HB 609-FN**, relative to jury selection procedures.
492, psd 796-797, 843, enr 1388 (Chapter 200)

- HB 611-FN**, relative to service dogs.
421, psd 480, 490, enr 508 (Chapter 45)
- HB 613-FN**, relative to the method for granting supplemental allowances to New Hampshire retirement system members.
589, am 1344, psd 1392, H nonconc, conf 1399, rep adop 1459-1460, 1495, enr am 1541-1542, enr 1553 (Chapter 400)
- HB 615-FN**, establishing a pilot program relative to medical, hospital and remedial care in workers' compensation.
492, psd 688-689, 702, enr 1333 (Chapter 178)
- HB 616-FN**, relative to the public utilities commission.
492, am 784-785, psd 843, H conc 1387, enr 1406 (Chapter 240)
- HB 617-FN**, relative to the public utilities commission appointing a receiver for a public water utility.
456, psd 514-515, 524, enr 558 (Chapter 74)
- HB 622-FN**, relative to vested deferred retirement benefits for group I members.
562, Finance 1299-1300, rules suspended 1321, psd 1322, 1336, enr 1405 (Chapter 241)
- HB 625-FN**, permitting a county to impose a lien on real and personal property for non-reimbursement of certain court-ordered expenses.
420, psd 515, 524, enr 558 (Chapter 75)
- HB 629-FN**, relative to gravesites.
458, am 648-649, psd 668, H nonconc, conf 1385, rep adop 1460-1463, 1495, enr 1552 (Chapter 401)
- HB 632**, relative to the confidentiality of quality assurance records of community mental health centers.
421, study 556-557
- HB 635-FN**, relative to protecting federally subsidized housing.
492, K 726-727
- HB 637**, relative to the conduct of tax sales for failure to pay real estate taxes.
493, am, LT & S Ct opin req (SR 5) 728-730, am & psd 1520-1521, H conc 1523, enr 1552 (Chapter 402)
- HB 640-FN**, to permit the Wakefield school district to withdraw from the Rochester authorized regional enrollment plan.
493, am 780-781, psd 842, H conc 1387, enr 1405 (Chapter 242)
- HB 643-FN**, relative to retention and destruction of district court records, responsibility for payment of costs of court-ordered services, and taxable court costs.
493, am 731, recon & am 754-755, psd 762, H conc 1333, enr 1405 (Chapter 243)
- HB 644-FN**, enabling cities and towns to adopt an optional veterans exemption.
New title: relative to the optional veterans' exemption.
493, LT 649-650, am 804-805, psd 843, H conc 1387, enr 1413 (Chapter 270)
- HB 650-FN**, relative to removing tax collectors.
493, am 635-637, psd 644, H nonconc, conf 1385, 1414, rep adop 1463, 1495 (K)
- HB 651-FN**, relative to adoption fees and information about birthparents.
421, am & Finance 551-552, psd 787, 843, H conc 1387, enr am 1406-1407, enr 1413 (Chapter 271)
- HB 652-FN**, relative to discounts and credit terms for the sale of wine.
493, psd 751, 762, enr 1388 (Chapter 201)
- HB 654-FN**, creating a committee to study what organizations may participate in the New Hampshire retirement system.
New title: creating a committee to study what organizations may participate in the New Hampshire retirement system, and authorizing the New Hampshire Federation of Teachers to participate in the New Hampshire retirement system.
589, am 1352-1354, psd 1392, H nonconc, conf 1399, 1414, rep adop 1463-1464, 1495, enr 1552 (Chapter 403)
- HB 655-FN**, to permit a credit or cash refund for overpayment of taxes or other charges owed by an insurer.
456, psd 510, 524, enr 558 (Chapter 76)
- HB 657-FN**, excepting certain landfills and other waste facilities from local junk yard regulation.
493, psd 578, 587, enr 613 (Chapter 95)

- HB 658-FN**, establishing a committee to study the laws relative to depositions.
493, am 797-798, psd 843, H nonconc, conf 1396, rep adop 1464, 1495, enr 1552 (Chapter 404)
- HB 661-FN**, relative to notification to downstream municipalities concerning effluent discharges.
458, Finance 565, psd 677, 702, recalled & am 1327-1329, psd 1336, H conc 1404, enr 1530 (Chapter 405)
- HB 664-FN**, transferring enforcement authority over the equal pay act from the labor commissioner to the commission for human rights.
458, psd 727, 762, enr 1388, H sustained veto 1523
- HB 676**, relative to the operation of OHRV's on rights-of-way.
456, psd 586, 587, enr am 760, enr 1332 (Chapter 179)
- HB 677**, relative to modification of child support guidelines.
493, am 798-801, psd 843, H nonconc, conf 1395, rep adop 1464-1468, 1495, enr 1552 (Chapter 406)
- HB 680-FN**, relative to review of studies on recycling uses for bottom ash.
493, psd 620-621, 643, enr 701 (Chapter 119)
- HB 681-FN**, relative to workers' compensation.
421, am 1300-1302, psd 1335, H conc 1404, enr 1496 (Chapter 294)
- HB 691-FN**, relative to recording of ancient plats.
493, psd 578, 587, enr 701 (Chapter 120)
- HB 693-FN**, relative to the leasing of submerged tidal lands.
New title: relative to harbor management, leasing of submerged lands and boat registration fees.
493, am 1302-1306, psd 1336, H nonconc, conf 1397, rep adop 1468-1469, 1495, enr am 1542, enr 1553 (Chapter 407)
- HB 699-FN**, prohibiting the possession of firearms by career criminals and imposing a minimum mandatory sentence.
493, psd 730, 762, enr am 1390, enr 1496 (Chapter 295)
- HB 708**, relative to the Free Trade Agreement between the United States and Canada.
458, am 630-631, psd 644, H conc 840, enr 1332 (Chapter 180)
- HB 709**, relative to use of recording devices by plaintiffs and defendants.
493, study 1306
- HB 710**, regulating the use of social security numbers by the department of safety.
493, am 734-736, psd 762, H nonconc, conf 1400, rep adop 1470-1471, 1495, enr 1551 (Chapter 349)
- HB 715**, relative to a capital improvement plan; the capital budget; and a debt management plan.
616, study 707
- HB 722-FN**, regarding solid waste management districts.
493, LT 773, am 1315-1320, psd 1336, H conc 1404, enr am 1528-1529, enr 1551 (Chapter 418)
- HB 726**, relative to bylaws which regulate electioneering.
493, psd 1345-1348, 1392, enr 1413 (Chapter 272)
- HB 728**, relative to water conservation plumbing fixtures.
456, K 637
- HB 729-FN**, requiring labeling of solid and hazardous waste collection containers.
420, am 505, psd 508, H conc 563, enr 617 (Chapter 96)
- HB 737-FN**, amending the joint state-capitol city planning commission.
493, psd 792-793, 843, enr am 1389, enr 1496 (Chapter 296)
- HB 738-FN**, relative to bail.
493, LT 730-731, K 1529
- HB 748**, relative to anatomical gifts accepted by medical or dental schools.
456, psd 727-728, 762, enr 1333 (Chapter 181)
- HB 750-FN**, establishing a redevelopment commission relative to Pease Air Force Base and making an appropriation therefor.
421, rules suspended & psd 423-425, enr 441 (Chapter 3)
- HB 751**, relative to state-issued bonds sold at a discount.
417, psd 625, 644, enr 1333 (Chapter 182)

- HB 752-FN**, relative to domestic violence.
493, psd 801, 843, enr am 1389-1390, enr 1496 (Chapter 297)
- HB 755-FN**, establishing a committee to study shoreline protection.
456, Finance 714-715, psd 787, 843, enr am 1389, enr 1496 (Chapter 298)
- HB 758-FN**, relative to impact fees.
New title: to establish an impact fee study committee.
493, am 645-647, psd 668, H conc 840, enr 1388 (Chapter 202)
- HB 762-A**, making supplemental appropriations for fiscal year 1989.
458, am & psd 537-542, H nonconc, conf 559, rep adop 625-628, 642, enr 666 (Chapter 77)
- HB 763**, authorizing the Salem and Derry school districts to establish a debt retirement fund.
493, psd 787-788, 843, enr 1388 (Chapter 203)
- HB 764-FN-A**, relative to state revenues and appropriations.
616, am 824-830, recon & am 841-842, psd 844, H nonconc, conf 1396, 1414, rep adop 1471-1475, 1495, enr am 1542-1546, enr 1553 (Chapter 408)
- HB 765-FN**, authorizing the Belknap recreational area to borrow in anticipation of revenues.
rules suspended, intro & psd (RC) 482-488, 490, enr 494 (Chapter 4)
- HB 766-FN-A**, making a supplemental appropriation for flood control and relative to the calculation of flood control reimbursements.
rules suspended, intro & am 1329-1330, psd 1336, H nonconc, conf 1395, rep adop 1475-1477, 1495, enr 1551 (Chapter 350)
- HB 767-FN**, relative to state employee salaries and making an appropriation therefor.
rules suspended, intro & psd 1557-1558, psd & enr 1559 (Chapter 419)
- HB 768**, relative to recodification of certain water laws.
rules suspended, intro & psd 1558, psd & enr 1559 (Chapter 420)
- HB 769-FN**, relative to an appropriation for a comprehensive drug and alcohol abuse treatment program within the department of corrections
rules suspended, intro & psd 1558, psd & enr 1559 (Chapter 421)

HOUSE CONCURRENT RESOLUTIONS

- HCR 1**, resolution of support for northeastern regional cooperation in solid waste reduction, recycling and disposal.
416, adop 428, 442
- HCR 2**, declaring a New Hampshire Scottish Heritage Week.
458, adop 555-556, 561
- HCR 3**, petitioning the United States Congress for a national recycling policy.
458, adop 566, 587
- HCR 5**, encouraging businesses and industries in New Hampshire to offer "good student" discounts.
458, adop 536-537, 560
- HCR 6**, a resolution inviting Chief Justice Brock to address the joint convention on the state of the judiciary.
intro & adop 310, 312
- HCR 7**, 1989 Joint Rules.
421, am 519-521, adop 524, H conc 526

CONSTITUTIONAL AMENDMENT CONCURRENT RESOLUTIONS

- CACR 1**, relating to meetings of the general court. Providing that the general court shall meet biennially. (Preston)
26, adop 102-106, 197, H nonconc 1386
- CACR 3**, relating to a yearly property tax. Providing that property taxation shall not exceed the previous year's levels by more than 5 percent in any city, town or other political subdivision, unless approved by 2/3 of the voters of such a city, town or other political subdivision. (King and St. Jean)
44, LT 106, K 412
- CACR 4**, relating to initiative petitions. Providing that referenda to enact laws may be initiated by petition. (King)
44, K 396

CACR 5, relating to rulemaking authority. Providing that the general court may delegate regulatory authority to executive branch officials, but such rules may be disapproved by the general court.
417, rules suspended & K 1348-1352

